

**Planning Commission
ZOOM Online Meeting:
MARCH 17, 2022**

AMENDED MARCH 16, 2022

*Please note that this meeting will be conducted via
ZOOM meeting software due to the COVID-19 event.*

5:30 PM Work Session

6:30 PM Regular Meeting

ZOOM Meeting: You may join online via the following link:

<https://mcminnvilleoregon.zoom.us/j/89271957372?pwd=OVFIZFRxVGo3b3NCWVdPVTB0SHRJdz09>

Zoom ID: 892 7195 7372

Zoom Password: 910656

**Or you can call in and listen via zoom: 1 253 215 8782
ID: 892 7195 7372**

Public Participation:

Citizen Comments: If you wish to address the Planning Commission on any item not on the agenda, you may respond as the Planning Commission Chair calls for "Citizen Comments."

Public Hearing: To participate in the public hearings, please choose one of the following.

- 1) *Email in advance of the meeting – Email at any time up to 12 p.m. the day of the meeting to heather.richards@mcminnvilleoregon.gov, that email will be provided to the planning commissioners, lead planning staff and entered into the record at the meeting.*
- 2) *By ZOOM at the meeting - Join the zoom meeting and send a chat directly to Planning Director, Heather Richards, to request to speak indicating which public hearing, and/or use the raise hand feature in zoom to request to speak once called upon by the Planning Commission chairperson. Once your turn is up, we will announce your name and unmute your mic.*
- 3) *By telephone at the meeting – If appearing via telephone only please sign up prior to the meeting by emailing the Planning Director, Heather.Richards@mcminnvilleoregon.gov as the chat function is not available when calling in zoom.*

----- MEETING AGENDA ON NEXT PAGE -----

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.

*Please note that these documents are also on the City's website, www.mcminnvilleoregon.gov. You may also request a copy from the Planning Department.

Commission Members	Agenda Items
Sidonie Winfield, Chair	6:30 PM – REGULAR MEETING
Gary Langenwalter Vice - Chair	1. Call to Order
Robert Banagay	2. Citizen Comments
Matthew Deppe	3. Minutes:
Sylla McClellan	April 1, 2021 (Exhibit 1)
Brian Randall	4. Action Item
Beth Rankin	<u>Deliberation: Proposed Comprehensive Plan Amendments (G 7-21) – (Exhibit 2)</u>
Lori Schanche	(Continued from February 17, 2022, PC Meeting)
Dan Tucholsky	Request: This is a legislative action initiated by the City of McMinnville to amend the McMinnville Comprehensive Plan by adopting the Three Mile Lane Area Plan as a supplemental document and to amend the Comprehensive Plan, Volume II, Chapter VI, Transportation System, to add a proposal to amend the Comprehensive Plan Map and Transportation System Plan consistent with the Three Mile Lane Area Plan.
	Applicant: City of McMinnville
	5. Public Hearing:
	A. <u>Quasi-Judicial Hearing: Comprehensive Plan Map Amendment (CPA 2-20) and Zone Change, including Planned Development Overlay Designation (ZC 3-20) – (Exhibit 3)</u>
	(Continued from February 17, 2022, PC Meeting)
	Applicant has requested a continuance to April 21, 2022
	Request: Approval to amend the Comprehensive Plan Map from Industrial to Commercial, and an amendment to the Zoning Map from M-2 (General Industrial) to C-3 PD (General Commercial with a Planned Development Overlay), for approximately 37.7 acres of a 90.4-acre property.
	The 37.7 acres includes 4.25 acres intended for right-of-way dedication for a future frontage road. The application also shows a portion of the area subject to the map amendment intended for a north-south extension of Cumulus Avenue and future east-west street connectivity.

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The request is submitted per the Planned Development provisions in Section 17.51.010(B) of the Zoning Ordinance, which allows for a planned development overlay designation to be applied to property without a development plan; however, if approved, no development of any kind can occur on the portion of the property subject to the C-3 PD overlay until a final development plan has been submitted and approved in accordance with the Planned Development provisions of the Zoning Ordinance. This requires the application for the final development plan to be subject to the public hearing requirements again at such time as the final development plans are submitted.

Location: The subject site is located at 3310 SE Three Mile Lane, more specifically described at Tax Lot 700, Section 26, T.4S., R 4 W., W.M.

Application: Kimco McMinnville LLC, c/o Michael Strahs

B. Quasi-Judicial Hearing: Comprehensive Plan Map Amendment (CPA 1-21) and Zone Change, including Planned Development Overlay Designation (ZC 2-21) – (Exhibit 4)

(Continued from February 17, 2022, PC Meeting)

Applicant has requested a continuance to April 21, 2022

Request: Approval to amend the Comprehensive Plan Map from Industrial to Commercial, and an amendment to the Zoning Map from M-2 (General Industrial) to C-3 PD (General Commercial with a Planned Development Overlay), for a property of approximately 8 acres.

The request is submitted per the Planned Development provisions in Section 17.51.010(B) of the Zoning Ordinance, which allows for a planned development overlay designation to be applied to property without a development plan; however, if approved, no development of any kind can occur on the portion of the property subject to the C-3 PD overlay until a final development plan has been submitted and approved in accordance with the Planned Development provisions of the Zoning Ordinance. This requires the application for the final development plan to be subject to the public hearing requirements again at such time as the final development plans are submitted.

Location: The subject site is located at 3330 SE Three Mile Lane, more specifically described at Tax Lot 600, Section 26, T.4S., R 4 W., W.M.

Applicant: Ken Sandblast, Westlake Consultants, Inc. Representing property owner 3330 TML, c/o Bryan Hays

C. Quasi-Judicial Hearing: Comprehensive Plan Map Amendment (CPA 2-21) and Zone Change, including Planned Development Overlay Designation (ZC 3-21) – (Exhibit 5)

(Continued from February 17, 2022, PC Meeting)

Applicant has requested a continuance to April 21, 2022

Request: Approval to amend the Comprehensive Plan Map from Industrial to Commercial, and an amendment to the Zoning Map from M-L (Limited Light Industrial) to C-3 PD (General Commercial with a Planned Development Overlay), for approximately 21.1 acres of an 89.9-acre property, plus an additional 1.5 acres of the 89.9-acre property proposed to be dedicated for right-of-way at the time of development.

The request is submitted per the Planned Development provisions in Section 17.51.010(B) of the Zoning Ordinance, which allows for a planned development overlay designation to be applied to property without a development plan; however, if approved, no development of any kind can occur on the portion of the property subject to the C-3 PD overlay until a final development plan has been submitted and approved in accordance with the Planned Development provisions of the Zoning Ordinance. This requires the application for the final development plan to be subject to the public hearing requirements again at such time as the final development plans are submitted.

Location: The subject site is located at Three Mile Lane and Cumulus Avenue, more specifically described at Tax Lot 100, Section 27, T.4S., R 4 W., W.M.

Applicant: Ken Sandblast, Westlake Consultants, Inc.
representing property owner DRS Land, LLC c/o Dan Bansen

D. Legislative Hearing: Proposed Comprehensive Plan Amendments (G 6-21) – (Exhibit 6)

Request: This is a legislative action initiated by the City of McMinnville to amend the McMinnville Municipal Code and the McMinnville Comprehensive Plan by adding Chapter 17.11, “Residential Design and Development Standards” to Title 17, Zoning Ordinance, and to amend the McMinnville Municipal Code and the McMinnville Comprehensive Plan to support Chapter 17.11. The proposed code amendments will satisfy the requirements of HB 2001 (2019 legislative session), and community interest in housing design and development standards that allow for a greater variety of housing types to serve the housing needs of McMinnville, built in such a way that it reflects the aesthetic values and sense of place of McMinnville.

Applicant: City of McMinnville

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6. Commissioner/Committee Member Comments

7. Staff Comments

8. Adjournment

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City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

www.mcminnvilleoregon.gov

EXHIBIT 1 - MINUTES

April 1, 2021
Planning Commission
Work Session Meeting

6:30 pm
Zoom Online Meeting
McMinnville, Oregon

Members Present: Roger Hall, Robert Banagay, Sylla McClellan, Brian Randall, Lori Schanche, Beth Rankin, Dan Tucholsky, and Sidonie Winfield

Members Absent: Gary Langenwalter and Ethan Downs – Youth Liaison

Staff Present: Heather Richards – Planning Director, Chuck Darnell – Senior Planner, and Tom Schauer – Senior Planner

1. Call to Order

Chair Hall called the meeting to order at 6:30 p.m.

2. Approval of Minutes

- November 19, 2020
- February 18, 2021

Commissioner McClellan moved to approve the November 19, 2020 and February 18, 2021 minutes. The motion was seconded by Commissioner Rankin and passed 8-0.

3. Citizen Comments

None

4. Work Session:

- **HB 2001 Rule Making / McMinnville Residential Site and Design Review Standard Package**

Senior Planner Darnell gave a presentation on HB 2001 and residential code update. The Planning Department worked with a consultant on draft development and design standards for housing types. The standards were reviewed by the Commission in 2020. The document included tiny houses, cottage clusters, plexes, townhouses, single dwellings, ADUs, and apartments. The structure of the document was that each housing type had a basic development standards table to address lot dimensions, lot sizes, setbacks, building height, and parking as well as standards for three scenarios: with/without alley and infill. Each housing type would be subject to the applicable universal design standards. The universal design standards addressed street frontage, front yard,

alleys, parking, common open space, private open space, compatibility, façade, and subdivisions. HB 2001 required cities of certain sizes to allow middle housing in areas and properties that allowed for the development of detached single family dwellings. The focus was on housing choice or housing options. DLCD adopted a model code in December 2020. If a city did not implement their own code/plan amendments prior to the deadline of June 2022, the model code applied directly. He discussed the current scope of work for updates to the draft and zoning districts. He asked if the Planning Commission was interested in pursuing the percentage-of-lots approach. Staff thought that type of program would be difficult to manage over time. A more consistent application of middle housing types throughout the entire city would better align with the Great Neighborhood Principles intent.

There was consensus to allow middle housing types across the board in all residential zones.

Senior Planner Darnell asked if the Commission was interested in pursuing a new residential zone where middle housing types would be allowed with more flexibility in the development standards. Staff recommended considering a flexible residential zone, but also right-size development standards for McMinnville.

There was discussion regarding possible development standards that could be added.

Senior Planner Darnell discussed infill vs. new development and lots greater than 10,000 and 14,000 square feet in the City. He asked if the Commission was supportive of establishing thresholds for infill vs. new development based on lot size. Staff recommended establishing a threshold at 14,000 square feet and all infill development should match the base zoning on the interior and perimeter.

There was discussion regarding looking at adjacent sites to new development and whether they were incompatible or had a negative impact to existing neighborhoods, what the threshold size should be, current minimum lot sizes, options for the flex zone, and Planned Development criteria.

Senior Planner Darnell discussed design standards. He asked if the Commission was interested in applying design standards to middle housing types. Staff recommended applying the universal design standards to all housing types.

There was support for staff's recommendation.

Senior Planner Darnell explained the off-street parking standards. He asked if the Commission was interested in considering any on-street parking allowances. Did the parking requirements based on lot size have any impact on the Commission's consideration of the potential smaller lot sizes in the new development standards? Staff recommended considering new development standards, but right-size them for McMinnville's off-street parking needs.

There was discussion regarding off street parking based on lot size or unit, stacking in the driveway, concern about on street parking and not enough space for fire and garbage trucks, concern about equity, visitor parking, how they could not mandate more than one parking space per unit with HB 2001, Planned Unit Development parking standards, lack of parking affecting quality of life, lack of transit in McMinnville, use of parking lots at night, adding a lot coverage standard for green space on lots, and whether the HB 2001 rules applied to Planned Developments for parking standards.

There was consensus to not consider any on-street parking allowances and concern about potential small lot sizes for missing middle development that would allow only one or two off-street parking spaces, such as only two parking spaces for a quadplex.

Senior Planner Darnell then discussed lot sizes for middle housing types, lot sizes in current zones, options for lot sizes, and existing lots under 5,000 square feet, 5,000 to 6,999 square feet, and lots larger than 7,000 square feet. He asked what approach the Commission would like to follow: strict compliance with the OARs by following existing zoning district minimum lot sizes for all middle housing types (besides townhouses), allowing middle housing types (besides townhouses) on lots smaller than 5,000 or 7,000 square feet, or limiting quadplexes and cottage clusters in the R-3 and R-4 zones to lots of at least 7,000 square feet.

There Commission was comfortable allowing middle housing types on lots smaller than 5,000 or 7,000 square feet only if they were following the Planned Development process. There was support for larger lots to accommodate more parking, getting visuals of potential scenarios that could be created on these lots, and driving by current examples in the City.

Senior Planner Darnell explained the number of units per lot per the OARs. He asked if the Commission was interested in allowing more units per parcel (either through extra dwellings or ADUs) than was strictly required by the OARs. Staff recommended not allowing additional units.

There was consensus to not allow additional units.

Senior Planner Darnell asked if the Commission was interested in allowing middle housing types (besides townhouses) to be detached in any configuration. Staff recommended allowing detached units in any configuration as long as the base development and design standards were achieved.

There was support for staff's recommendation, but concern about developers using that to create cottage clusters that did not follow the cottage cluster standards.

Senior Planner Darnell discussed the development standards by housing type. He asked if the Commission was interested in keeping the universal design standards format. Staff recommended updating individual universal design standards to be more specific and meet OAR requirements.

There was support for staff's recommendation.

Senior Planner Darnell discussed other considerations for the O-R (Office-Residential) zone and NE Gateway Planned Development Overlay. He asked if the Commission was interested in having the standards for these housing types the same in the O-R zone. Staff recommended using consistent standards in the O-R zone. Some updates would be necessary to permitted uses in the NE Gateway ordinance to be consistent with HB 2001.

There was discussion regarding the current uses in the O-R zone and NE Gateway District and how universal design standards worked with conversions.

Senior Planner Darnell said there would be public forums in April on these topics. The consultant would use the Planning Commission and public feedback to make amendments to the draft code in a hearing ready format to be completed by the end of May 2021. At the June 2021 Planning Commission meeting, staff would provide an update on the code amendment work. Final adoption needed to occur by June 30, 2022.

- **SRO Review**

Senior Planner Schauer discussed the proposed amendments to the Zoning Ordinance to allow and regulate Single Room Occupancy (SRO) development as a housing type in McMinnville. The intent was that this housing type would be part of the bundle of code

amendments related to middle housing development and residential development and design standards, although this housing type was not required by HB 2001. The draft code language was recommended by the Affordable Housing Committee. Single Room Occupancy housing developments were not currently permitted. SRO housing developments allowed for one or more common facilities to be shared by some or all units, rather than every unit having all of those facilities. Many ordinances, including McMinnville's, defined dwelling units in a way that limited the number of unrelated people that may occupy a dwelling, typically no more five unrelated persons. SROs could offer greater affordability by reducing the amount of area within a building that was otherwise devoted to separate individual kitchen and/or sanitation facilities, as well as the associated construction, plumbing, and dedicated electrical costs. It also allowed for a social housing model that was desired by some people and the size of an SRO development and number and ratio of common/shared facilities could be scaled to meet different needs that allowed occupancy by a greater number of unrelated persons. He explained the key provisions for small and large SRO housing developments and the applicable zones where they would be allowed as well as the proposed standards. He then showed examples of these types of units.

There was discussion regarding the difference between subleasing rooms in a house or apartment and SROs, differentiating between VRBOs and SROs, and where SROs would be located.

5. Commissioner Comments

None

6. Staff Comments

Planning Director Richards explained the City was going into a furlough program and how that would affect the Planning Department's work.

7. Adjournment

Chair Hall adjourned the meeting at 9:52 p.m.

Heather Richards
Secretary

EXHIBIT 2 - STAFF REPORT

DATE: March 17, 2022
TO: Planning Commission Members
FROM: Heather Richards, Planning Director
SUBJECT: G 7 – 21, Adopting the *Three Mile Lane Area Plan* as a Supplemental Document to the City of *McMinnville Comprehensive Plan*, and amending the *Comprehensive Plan, Volume II, Chapter VI, Transportation System*, to add a proposal to amend the *Comprehensive Plan Map and Transportation System Plan* consistent with the *Three Mile Lane Area Plan*.

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

This is the consideration of a comprehensive plan amendment adopting the ***Three Mile Lane Area Plan, Appendices and Three Mile Lane Area Plan Recommended Design*** as a supplemental document to the *McMinnville Comprehensive Plan* and to amend the *McMinnville Comprehensive Plan, Volume II, Chapter VI, Transportation System*, to add a proposal to amend the *McMinnville Comprehensive Plan Map and McMinnville Transportation System Plan* consistent with the *Three Mile Lane Area Plan*.

The ***Three Mile Lane Area Plan*** (3MLAP) has been developed over the past three years in collaboration with ODOT and a local Project Advisory Committee. It was funded by a Transportation Growth Management grant. A consultant team comprised of Angelo Planning Group, David Evans and Associates, Inc., Leland Consulting Group and Walker Macy worked with the project management team and the project advisory committee to develop the plan. ODOT served as the project manager and contract manager.

The project website is: <https://threemilelane.com/project-documents>

Attachments:

- Three Mile Lane Area Plan (without appendices) *Plan plus appendices can be found at www.threemilelane.com*
- Amendment to Chapter VI, Transportation System, McMinnville Comprehensive Plan
- Three Mile Lane Area Plan, Recommended Design, March 2022
- Memorandum, March 9, David Evans and Associates, "Bicycle/Pedestrian Overpass"

The public hearing public record is located at: [G 7-21 - Three Mile Lane Area Plan \(3MLAP\) Comprehensive Plan Amendment | McMinnville Oregon.](#)

Area plans are general guidance documents for how land uses, and public facilities will serve the community in the future and interact with each other in a designated area. It is a high-level planning document meant to provide guidance to other more specific planning processes, such as public utility plans, parks, and open space plans, etc. An Area Plan is not a development plan and is not representative of planned private development projects in the area.

The Three Mile Lane area is a unique district in the southeast portion of the City of McMinnville. The area contains approximately 1,340 acres of land with a variety of existing land uses and several large vacant parcels. The *Three Mile Lane Area Plan* is intended to create an implementable vision for the area's future land uses and multi-modal transportation system.

As an Area Plan, the *Three Mile Lane Area Plan* shall serve as a guiding document for land uses and public facilities in the delineated area of this plan. Specific standards for development will be identified in McMinnville's Master Plans and Municipal Code. Public facility plans will be updated to reflect the new comprehensive plan designations in the area.

The *Three Mile Lane Area Plan* includes the final plan document (Plan) and five appendices:

Three Mile Lane Area Plan

Three Mile Lane Area Plan Recommended Design

- Appendix A: Public Involvement
- Appendix B: Existing Conditions
- Appendix C: Case Study Report
- Appendix D: Evaluation and Screening
- Appendix E: Implementation

The Planning Commission hosted a public hearing on January 20, 2022, and February 17, 2022, closing the public hearing on February 17, 2022.

At the close of the public hearing on February 17, 2022, Planning Commission asked staff to amend the plan in two areas:

- 1) Add a provision for the future evaluation and consideration of a bicycle/pedestrian overpass on Highway 18 when the need and opportunity arose.
- 2) Strengthen the language about the City's desire to implement design and development standards in the area for the commercial site south of Highway 18, the Innovation Center site, and the mixed-use site on the north side of Highway 18, that will ensure that those developments are unique to McMinnville, reflecting McMinnville's community values.

Both of these items are discussed in more detail in the "Discussion" section of this staff report.

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Background:

The *Three Mile Lane Area Planning* effort started in 2017. It is based on a land-use and transportation study of approximately 1340 acres of land currently within the city limits on both the north and south side of Highway 18 from the eastern entrance of the city by the McMinnville Airport to the Yamhill River Bridge. The project has immense potential to transform the Three Mile Lane Area for both current and future residents and businesses. It provides the opportunity for the City to be much more efficient with land-uses, allowing for higher density housing development and job creation in the area. The plan will also help the City work towards reducing greenhouse gas emissions by providing more amenities in close proximity to residential neighborhoods in this area as well as commercial amenities that city residents drive to other cities to access. The plan allows for much-needed grocery stores in a residential area that is currently a food desert. The plan identifies opportunities for more off-road trails and bicycle/pedestrian connectivity throughout the designated area. The 3MLAP also highlights an opportunity for a high-density business office and industrial incubator district adjacent to the airport. And lastly, the 3MLAP creates a much stronger multi-modal connection between the Three Mile Lane Area and the rest of the City of McMinnville via the new Yamhill River Bridge and proposed nature trails to Joe Dancer Park and Galen McBee Park.

The 3MLAP has five project goals:

- 1. Support and enhance the district's economic vitality and marketability.**
This plan aims to support development of significant industrial and commercial parcels within the study area, enhance existing business by diversifying goods and services available in the area, and increase tourism. Alternatives will be evaluated qualitatively for how well they address the area's development/redevelopment potential.
- 2. Provide opportunities for a complementary mix of land uses, consistent with the vision of a diverse and vibrant district.**
The study area contains several existing residential neighborhoods, including assisted-living and manufactured home residences, as well as major employers and tourism destinations. This plan aims to provide a mix of land uses that support one another to create a unique part of the city in both an economic and environmentally sustainable way.
- 3. Enhance multi-modal connections throughout the district.**
This plan aims to create a complete, multimodal transportation network that serves the north and south side of OR 18 within the district, and that connects the business community, the hospital, residential neighborhoods, and tourism amenities to each other and to the city center. Alternatives will be evaluated through criteria measuring transportation safety and performance for all modes of travel: pedestrian, bicycle, transit, freight, and personal vehicles.
- 4. Create an aesthetically pleasing gateway to the City of McMinnville.**
The study area is a primary gateway to the City of McMinnville. Alternatives will be evaluated qualitatively for how well they provide an identity for the district, reflect McMinnville's intrinsic character, and highlight the landscape features of the district. Incorporation of sustainable features and technologies is desired.
- 5. Improve the district for existing and future McMinnville residents in the area.**
The City of McMinnville's Great Neighborhood Principles identifies amenities and facilities that should be present in all residential areas, including a variety of housing types, pedestrian and

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bicycle connectivity, preservation of scenic views and natural features, access to open space, and access to commercial necessities. This plan aims to support those Great Neighborhood Principles for residents in the study area by providing multi-modal connectivity, single-family, missing middle and multi-family housing, provisions for open spaces and commercial amenities, such as grocery stores, restaurants, and more.

A project advisory committee consisting of community stakeholders worked with the consultant team, ODOT and City representatives on the development of the plan

The City also hosted a summer planning class from the University of Oregon, “Green Cities” to work with neighborhood residents and other interested community stakeholders on planning charrettes and focus groups to help lay the groundwork for the planning effort prior to the official start of the 3MLAP.

Three Mile Lane Area Plan Citizen Advisory Committee (CAC)	
REPRESENTING	
Planning Commission	Lori Schanche
City Council	Zach Geary Scott Hill Wendy Stassens
Representatives of Property and Business Owners in the Study Area	Robert Banagay Paul Davis Danielle Hoffman Peter Hoffstetter Kit Johnston Stewart Kircher Chris Norville Alan Roodhouse Chris Shelby Mary Stern
Partner Agencies	Scott Cooper – MEDP Kitri McGuire – Visit McMinnville Gioia Goodrum – McMinnville Chamber of Commerce
Community Stakeholders	Courtney Cunningham Ken Denier Alan Fox Phil Frischmuth David Hayes Galen McBee

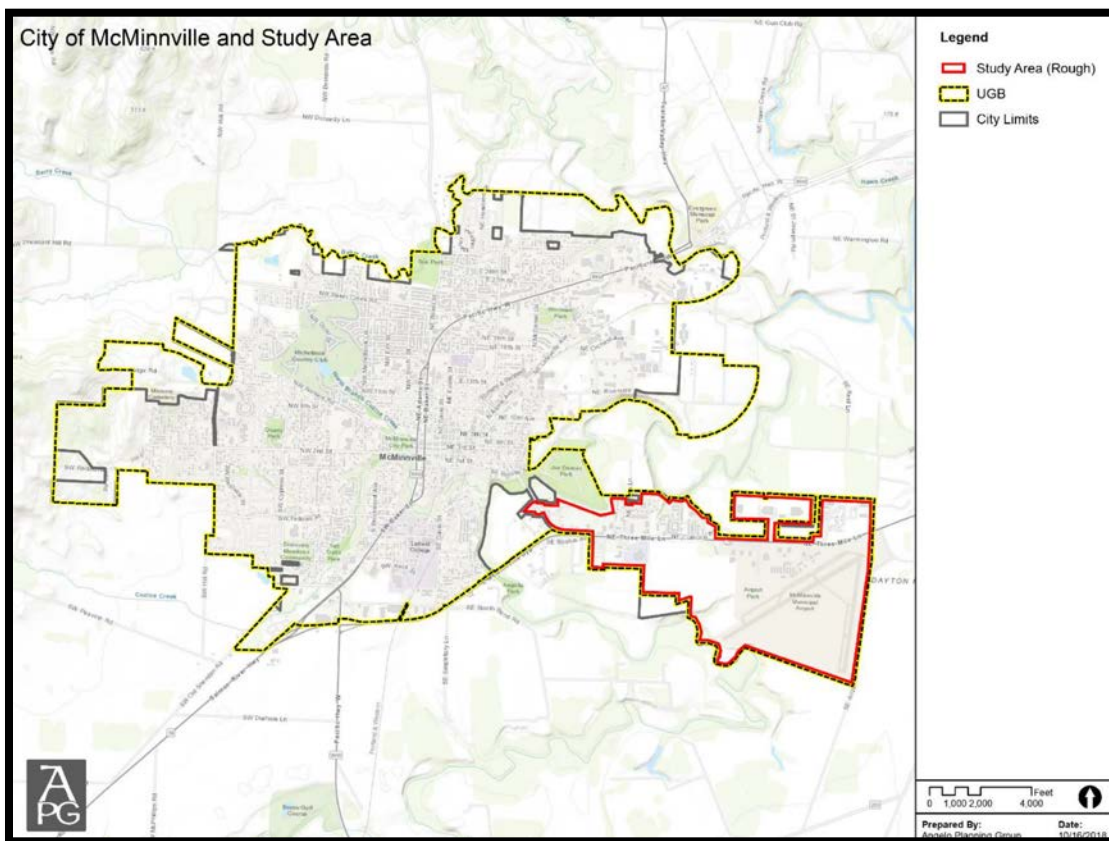
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Technical Advisory Committee (TAC)	
Planning Staff	Heather Richards Jamie Fleckenstein Chuck Darnell Tom Schauer
Engineering Staff	Mike Bisset
Parks and Recreation Staff	Susan Muir
McMinnville Water and Light	John Dietz
ODOT	Michael Duncan Dan Fricke Keith Blair Dorothy Upton Jenna Berman Kristie Gladhill
DLCD	Angela Carnahan
YCTA	Cynthia Thompson

Map of Study Area

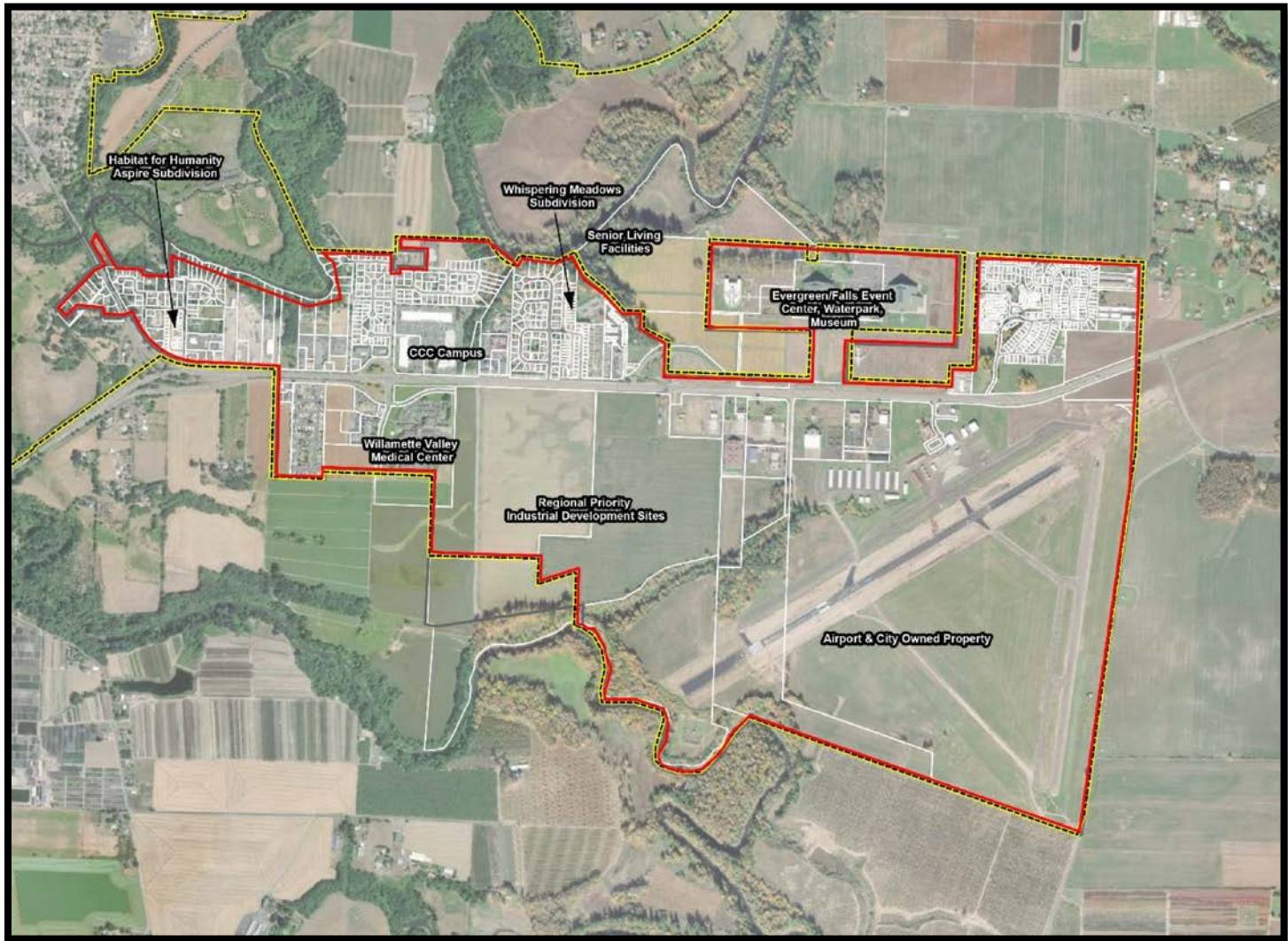
Below and on the following page are Maps 1 and 2 showing the relationship of the Three Mile Lane area relative to the rest of the city, as well as the area's more prominent features.



*Map 1: Three Mile Lane Study Area in relationship to the city limits.
The subject area is on the Southeastern side of the city.*

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Map 2: Three Mile Lane Study Area with Major Elements Identified.

Citizen Involvement:

Over the course of three years, the project team conducted an extensive public engagement process utilizing a variety of tools. Public open houses, town halls, focus groups and charrettes were utilized to collect public feedback and input. (Please see Appendix A of the 3MLAP).

- The City hosted three public workshops. Invitations to the public workshops were provided in both English and Spanish. Spanish invitations were distributed through the Latino Advisory Council and provided at the Virginia Garcia Clinic in the study area. Spanish translation was provided at the public workshops upon request.
- The project team hosted three focus group interviews. One of the focus groups represented organizations and agencies that served Title VI populations in the study area.

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- The project team conducted two planning charrettes with community stakeholders to discuss future land-uses, needs and opportunities.
- The project team conducted two surveys during the course of the project planning period.
- The project included numerous City Council updates, which were part of the regularly scheduled McMinnville City Council meetings that were open to the public and broadcast with subtitles via McMinnville Media.
- The project team maintained a project website at www.ThreeMileLane.com.
- The project team distributed flyers and meeting invitations through the Latino Advisory Council, a network of businesses, agencies and non-profit partners serving the Latino community in McMinnville.
- The project team provided project updates and invitations to meetings and events via its social media to the community at-large and direct mailings for households in the project area.
- The project team created press releases and flyers for all public events which were advertised in local newspapers and distributed to public spaces such as the McMinnville Public Library, the McMinnville Community Center and through the McMinnville School District information portal.
- Five public meetings, all noticed and open to the public, were held in conjunction with McMinnville Planning Commission and City Council meetings,

The *Three Mile Lane Area Plan* is predicated on a “Preferred Land Use Alternative” (Figure 1) and a “Preferred Transportation Facilities Plan” (Figure 3). ODOT updated the Transportation Model for the City of McMinnville for this project and then the preferred land use alternative and preferred public facilities plan were analyzed for transportation compliance with the *Oregon Highway Plan* and Oregon Administrative Rules, Division 51 standards (OAR 734-051).

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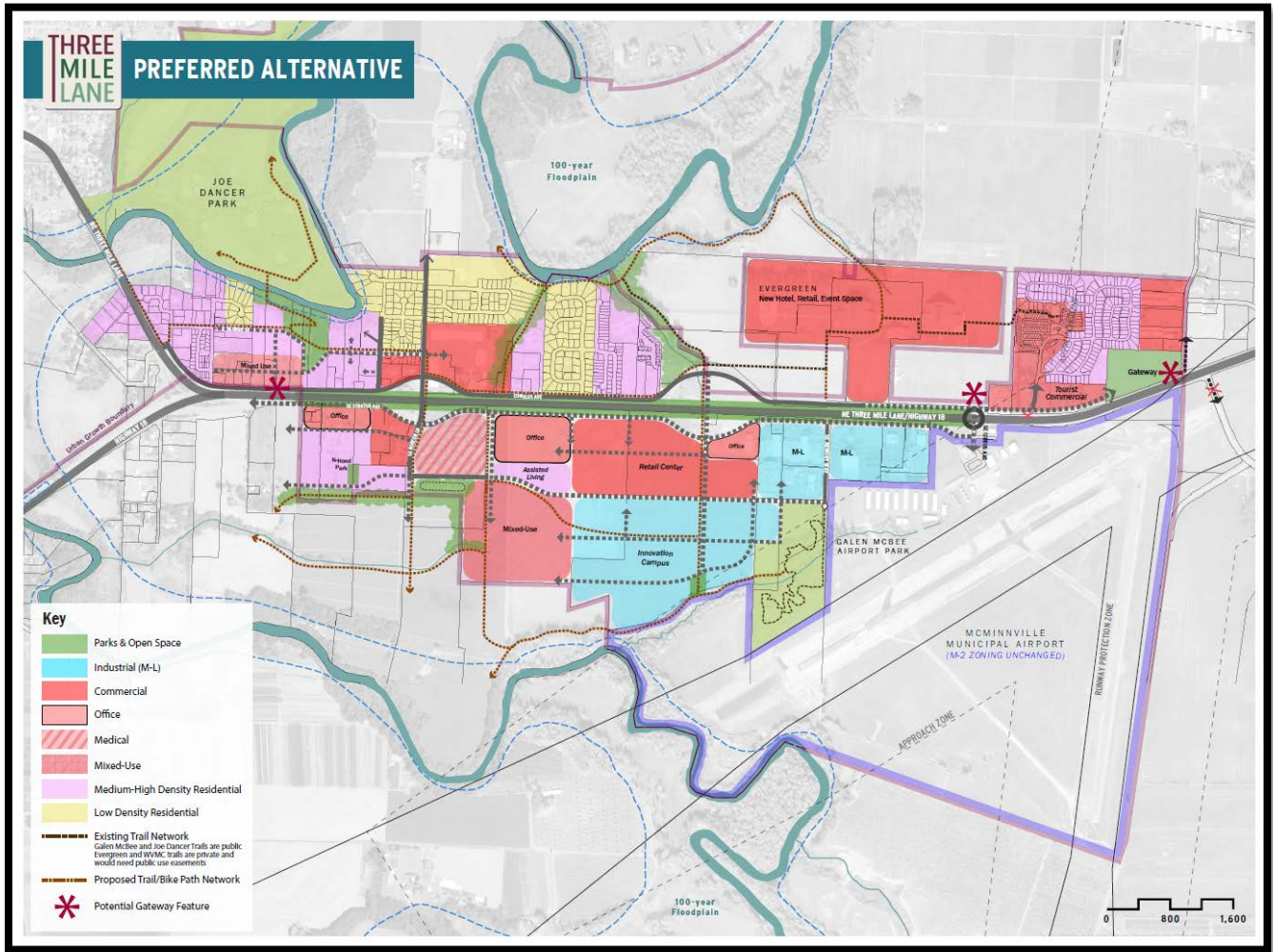


Figure 1: Three Mile Lane Area Plan Preferred Land Use Plan

The preferred land use alternative relies on three comprehensive plan map amendments. (Please see Figure 2). The adoption of the *Three Mile Lane Area Plan* does not amend the Comprehensive Plan Map. Those amendments will be undertaken via another land-use process.

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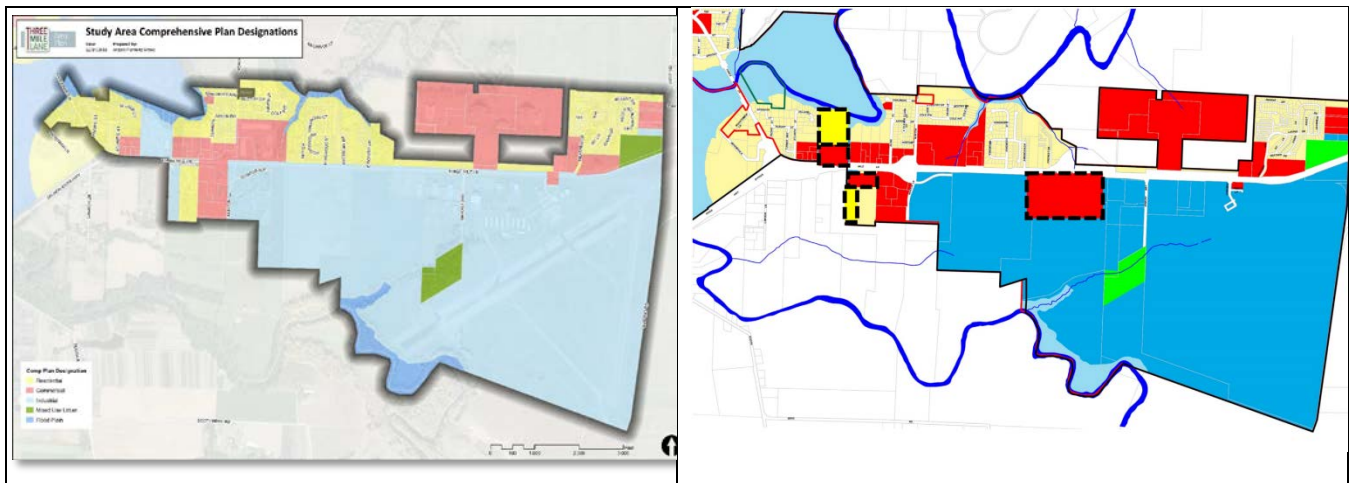


Figure 2: Three Proposed Comprehensive Plan Map Amendments

And the preferred transportation facility plan relies on both local network and state network improvements including the development of local frontage roads on both the north and south sides of Highway 18, as well as optimization of the existing signalized intersections, a new traffic improvement at the intersection of Cirrus Avenue and Highway 18 and Three Mile Lane and Cumulus Avenue and the removal of accesses at Loop Road and Cruickshank Road, as well as several other access points between Cumulus Avenue and the eastern edge of the study area. (Please see Figure 3). These transportation projects will be added to the *McMinnville Transportation System Plan* when the plan is updated in 2022 and 2023. (Cruickshank Road is in the county and will not be part of the *McMinnville Transportation System Plan*.)

Since the *Highway 18 Corridor Refinement Plan* is only a guidance plan with a phased methodology of improvements on Highway 18 dependent upon the *Oregon Highway Plan* and Division 51 standards, and the *Three Mile Lane Area Plan* complies with that phasing methodology, that will not be updated.

The proposed transportation improvements meet the *Oregon Highway Plan* standards so no amendments will need to be required to support the *Three Mile Lane Area Plan*. ODOT will adopt the *Three Mile Lane Area Plan* as a facility plan.

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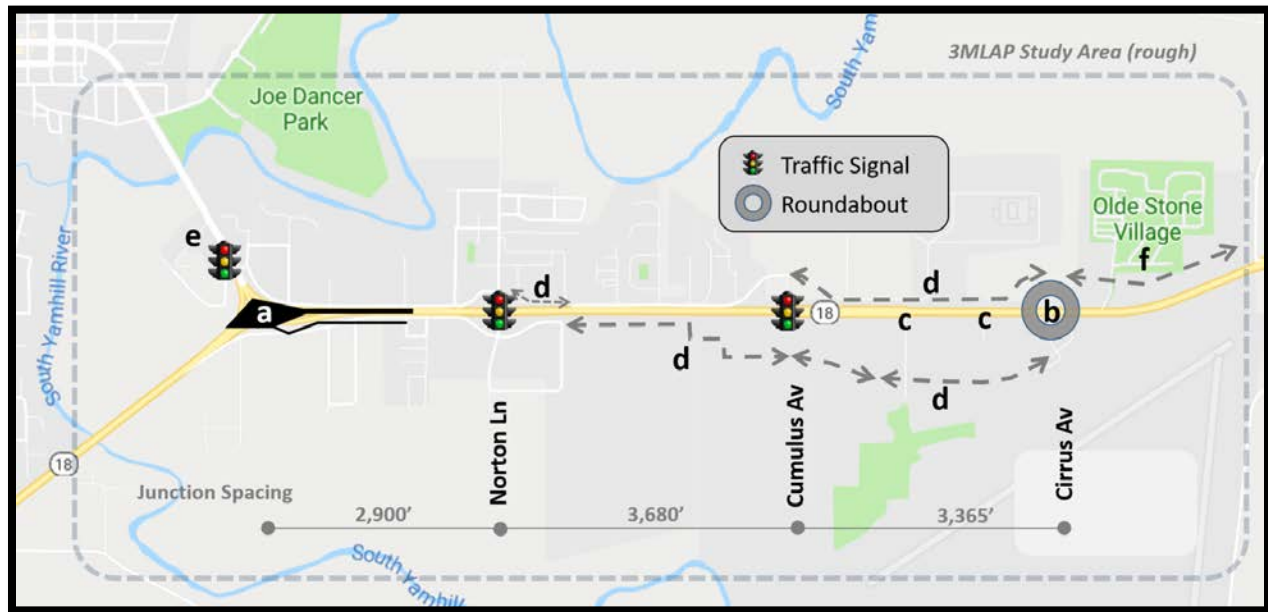


Figure 3: Preferred Transportation Plan for Three Mile Lane Area Plan

- a) Three Mile Lane interchange - reconstructed for full directional access and crossing, with new connector to Stratus Avenue - see Figure 13).
- b) Cirrus Avenue - new roundabout on OR 18, with McMinnville gateway features.
- c) Removal of at-grade street and driveway accesses to OR 18 in the section between Cumulus Avenue and the eastern edge of the study area, including Loop Road and Cruickshank Road (Cruickshank Road is not shown in Figure 8, as Cruickshank Road is external to the Three Mile Lane Study area).
- d) New east-west frontage streets north and south of OR 18, linking Cirrus Avenue, Cumulus Avenue and Norton Lane. These and other local street connectors are depicted in Figure 11.
- e) New traffic signal (or roundabout) at Three-Mile Lane and Cumulus Avenue.
- f) Loop Road - disconnect from OR 18 and realign to new Cirrus Avenue connector and roundabout.

Compliance with State Land Use Goals: The *Three Mile Lane Area Plan* furthers the following state land use goals: Goal 1 – Citizen Involvement; Goal 2: Land Use Planning; Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces; Goal 8 – Recreational Needs; Goal 9 – Economic Development; Goal 10 – Housing; Goal 12 – Transportation; and Goal 14 – Urbanization;

Specific Compliance with State and Local Transportation Standards: The *Three Mile Lane Area Plan* is compliant with both state and local transportation standards, including the *Oregon Highway Plan* and Oregon Administrative Rules 734-051.

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Compliance with McMinnville Comprehensive Plan Policies: The *Three Mile Lane Area Plan* furthers McMinnville's Comprehensive Plan policies for Natural Resources, Economy, Housing, Transportation, Urbanization and Citizen Involvement.

The results of the *Three Mile Lane Area Plan* is an updated mix of land-uses that serve McMinnville's housing and employment needs, as well as a transportation facilities plan on Highway 18 for the planning horizon of 2021-2041 that identifies needed projects to preserve mobility and safety in the area that is based on the transportation modeling and scenario analysis required by state regulations. These developments will create a Three Mile Lane Area that is more economically robust, draws increased tourism, provides more equitable transportation options, and increases opportunities for both current and future residents.

Discussion:

At the February 17, 2022 meeting, **Andrew Mortensen, Senior Transportation Planner with David Evans and Associates, Inc.**, and lead Project Manager for the consultant team, and **Naomi Zwerdling, Planning and Development Review Manager, ODOT, Region 2**, and **Michael Duncan, Senior Region Planner, Transportation and Growth Management Project Manager for ODOT, Region 2**, provided testimony about the transportation evaluation and analysis of the planning effort, and answered in more detail questions that the Planning Commission and public testimony had about the particular design of the transportation elements identified in the Plan and the performance of the transportation system.

The Planning Commission heard more public testimony on February 17, 2022 and then elected to close the public hearing.

After closing the public hearing, the Planning Commission asked staff to amend the plan in two areas:

- 1) Add a provision for the future evaluation and consideration of a bicycle/pedestrian overpass on Highway 18 when the need and opportunity arose.
- 2) Strengthen the language about the City's desire to implement design and development standards in the area for the commercial site south of Highway 18, the Innovation Center site, and the mixed-use site on the north side of Highway 18, that will ensure that those developments are unique to McMinnville, reflecting McMinnville's community values.

1) Add a provision for the future evaluation and consideration of a bicycle/pedestrian overpass on Highway 18 when the need and opportunity arose.

The City commissioned a memorandum from David Evans and Associates to examine the general implications of constructing a pedestrian bridge crossing of OR 18 near Norton Lane. (Please see attached memorandum).

A pedestrian overpass could potentially fit into the right-of-way (would need to be designed with frontage road construction), and would be approximately 125 feet long, costing approximately \$3,500,000 - \$5,000,000.

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This would not be an ODOT funded project, and most likely, not an SDC (System Development Charge) eligible project as it has not been determined to be warranted (needed) per transportation scenarios. For context, traffic counts taken on OR 18 at Norton Lane in 2018, which served as the baseline analysis in the Three Mile Lane Area Plan, revealed that a total of 36 pedestrians cross OR 18 within in the existing, at-grade, designated crosswalks at Norton Lane during a typical weekday, and a total of 5 pedestrians cross during the PM peak hour (4:40-5:30pm).

The following language has been added to the Three Mile Lane Area Plan document, page 50.

Future Bicycle/Pedestrian Overpass Consideration

OR-18/Norton Avenue – Potential Bicycle / Pedestrian Overpass

In the adoption process of the 3MLAP, the City identified a future potential need for a bicycle/pedestrian overpass at OR 18/Norton Avenue to facilitate a separated bicycle and pedestrian crossing opportunity. This was not calculated as a need by the 3MLAP transportation analysis.

The City should continue to evaluate the bicycle and pedestrian movements from north to south at this intersection for mobility and safety, and explore opportunities to fund and implement this improvement proactively if determined to be warranted by the community.

2) Strengthen the language about the City's desire to implement design and development standards in the area for the commercial site south of Highway 18, the Innovation Center site, and the mixed-use site on the north side of Highway 18, that will ensure that those developments are unique to McMinnville, reflecting McMinnville's community values.

Throughout the Three Mile Lane Area Plan document is language relative to the need that any new development in the Three Mile Lane Study Area should be subject to special design and development standards specific to that area, especially the new commercial site south of Highway 18, the Innovation Center and the mixed-use site north of Highway 18.

Currently, there is a Three Mile Lane Planned Development Overlay over the study area. This planned development overlay is intended to be amended and inserted into the McMinnville Municipal Code as a special overlay zone that has prescribed design and development standards for this area. The specific language for the special overlay zone has not yet been drafted, but the Three Mile Lane Area Plan has several policies in it that development will need to address. These policies have been assembled into a Recommended Design for Three Mile Lane Area information booklet. (Please see attachment.) And are explained below.

One of the goals of the Three Mile Lane Area Plan is Goal #4, which addresses aesthetics and design.

GOAL 4: Create an aesthetically pleasing gateway to the City of McMinnville

The study area is a primary gateway to the City of McMinnville. Alternatives will be evaluated qualitatively for how well they provide an identity for the district, reflect McMinnville's intrinsic character and highlight the landscape features of the district. (Page 15 of the Plan document)

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Additionally, all development projects in the Three Mile Lane Area will need to comply with the City's adopted Great Neighborhood Principles. How they need to comply is identified in the Plan per the illustration below, found on pages 16 and 17 of the Plan.

1. *Natural Feature Preservation*

- Strive to protect tree groves
- Strive to protect individual trees
- Protect riparian corridors and adjacent native landscape



2. *Scenic Views*

- Provide and protect views to rolling hills and volcanoes
- Provide visual and physical access to North Yamhill River
- Orient streets and open spaces to views



3. *Parks and Open Spaces*

- Connect to Galen McBee Airport Park
- Connect to Joe Dancer Park
- Create new gathering spaces that incorporate natural areas and views
- Plant landscapes that incorporate natives and exhibit seasonal variation



4. *Pedestrian Friendly*

- Provide a network of sidewalks and trails to connect people to key locations
- Incorporate shade streets with mature tree canopy

5. *Bike Friendly*

- Plan safe routes for residents and touring cyclists

6. *Connected Streets*

- Connect to existing street grid in the Three Mile Lane area



7. *Accessibility*

- Design new development for ease of use by all ages and abilities

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8. *Human Scale Design*

- Respect typical scale of commercial uses in McMinnville
- Design to reflect the micro-climate—outdoor life, porches, balconies
- Promote inclusion and interaction within the right-of-way



9. *Mix of Activities*

- Encourage mixed-use development where feasible

10. *Urban-Rural Interface*

- Reflect patterns of wine industry—eg, rows of vines, southern orientation, shelter belts of trees
- Consider adjacency to agricultural fields and respect this heritage through careful transitions
- Design simple roof forms (industrial and agricultural). Height and distinctive forms of silos can be inspiration
- Consider functional site planning of vineyard and farm complexes as conceptual model for new development



11. *Housing for Diverse Incomes and Generations*

- Allow for a mix of future housing forms and types, respecting the current character of Three Mile Lane

12. *Housing Variety*

- Respect existing variety of housing types in
- Three Mile Lane and ensure diversity of design for future housing



13. *Unique and Integrated Design Elements*

- Ensure visibility from highway; Welcome to McMinnville
- Make functions of sites visible (airplanes, wine-making); continue expression of industry/making where applicable
- Aviation legacy: display large planes; consider sensation of low-flying planes, potential visual impact of sites from the air
- Consider local and/or sustainable materials for cladding and building structure (timber, corrugated steel cladding, red brick)
- Use vibrant color



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These principles were then translated into Three Mile Lane Area Plan policies for new development as identified on pages 35 and 36 of the Plan.

Three Mile Lane Area Plan Policies

1. *Require future development to be consistent with the design elements of the Three Mile Lane Area Plan.*
2. *Public improvements and private development shall strive to protect tree groves and mature individual trees.*
3. *Riparian corridors and adjacent native landscape shall be protected.*
4. *The built environment will be designed to provide and protect views to rolling hills and volcanoes and to enhance visual and physical access to the North Yamhill River. New streets and open spaces will be oriented to capture views.*
5. *Enhancing connections to existing trails and open space, such as connections into Joe Dancer Park and McBee Park, and creating a public greenway along South Yamhill River with trails and connections to the Three Mile Lane Area is a priority.*
6. *New gathering spaces will be designed to incorporate natural areas and views.*
7. *Require native landscape plantings with seasonal variation and tree plantings that include shade streets with mature tree canopy.*
8. *A network of sidewalks and trails will connect people to key locations within the Three Mile Lane Area.*
9. *The Three Mile Lane Area will have safe bicycle routes for residents and touring cyclists.*
10. *Proposed new streets will connect to the existing local street grid, consistent with the conceptual designs in the Three Mile Lane Area Plan and in compliance with Transportation System Plan standards.*
11. *New commercial developments should be designed to be at a walkable, human scale and for ease of use by all ages and abilities.*
12. *New commercial, office, mixed-use, and multi-family developments should be designed to reflect the micro-climate and enhance outdoor life through the incorporation of features such as porches, balconies, courtyards, plazas, etc.*
13. *New commercial, office, mixed-use, and industrial campus developments should promote inclusion and interaction within the right-of-way.*
14. *Encourage mixed-use development where feasible.*
15. *Proposed site landscape for new development should strive to reflect patterns of wine industry—eg, rows of vines, southern orientation, shelter belts of trees – and consider functional site planning of vineyard and farm complexes as conceptual models.*
16. *New development should consider adjacency to agricultural fields and respect this heritage through careful transitions.*

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17. *Architectural building design that includes simple roof forms (industrial and agricultural) is encouraged in the Three Mile Lane Area.*
18. *Encourage a diversity of future housing forms, types, and design that respect the current character of the area .*
19. *Ensure that new commercial and industrial campus development creates a welcoming and visible interface with Three Mile Lane.*
20. *Encourage site design and architecture that visibly convey the historic or current industry on the site (e.g., aviation, wine-making).*
21. *New commercial, mixed-use, office, and industrial campus development should consider using local materials for cladding and building structure (timber, corrugated steel cladding, red brick), and incorporating vibrant color.*

The mixed-use development on the north side of Highway 18, the commercial site on the south side of Highway 18, and the Innovation Center are then discussed further in the plan document in terms of design intentions, indicating that they particularly should have the following features:

- Human-scale development that is pedestrian-friendly.
- Walkable, narrow main streets connecting through the center, with parallel or angled on-street parking in front of retail storefronts.
- Public gathering spaces, bordered by dining and entertainment attractions, featuring play areas and flexible space for programmed public events.
- Shared parking lots, generally located behind buildings, featuring wide pedestrian walkways, EV charging stations, bicycle parking, and transit stops. As well as integrated stormwater treatment and ample landscaping including shade trees.
- Sustainable high-quality architecture, themed in a regionally appropriate way, with buildings placed in prominent locations that contribute to the quality of the pedestrian experience, versus behind large surface parking lots.
- Building edges that create ‘frontage’ on walkable streets or pedestrian walks, with higher-quality materials, generous windows, and pedestrian-scale signage in the first 20-30’ of elevation.
- Proximity and connection to a mix of other uses, to encourage walking from residential or office areas to the retail center.
- Generous landscape buffers between the retail center and roadways or parking lots while maintaining maximum visibility for retailers.
- A prominent entry to the site, with signage or a gateway feature.

(page 27 of the Plan document.)

And finally, on pages 44, 45 and 46 is a detailed description of how these policies need to be integrated into McMinnville’s zoning ordinance and the Three Mile Lane Overlay.

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Table 4: Implementation Recommendations (pages 44, 45 and 46)

Policy	Overlay Amendment	Recommended Future Action
1. Require future development to be consistent with the design elements of the Three Mile Lane Area Plan.	<p>Include specific development standards (see amendments in this table) in the Three Mile Lane Planned Development Overlay to implement the Three Mile Lane Area Plan. Note that the review and approval process for land use applications is through Three Mile Lane Design Review, Director’s Review with Notification.</p> <p>Require Mixed-use, Commercial, or Industrial development proposals over [10] acres to be subject to Planned Development Overlay (Chapter 17.51) and Planning Commission approval.</p> <p>In the Innovation Campus allow office uses that support products and services that are manufactured or developed on site or that serve as corporate offices for products that are manufactured elsewhere.</p>	
2. Public improvements and private development shall strive to protect tree groves and mature individual trees.		Identify tree groves and tree types to be protected and designate as significant or historic trees.
3. Riparian corridors and adjacent native landscapes shall be protected.	Require mapping and protection of stream corridors and re-vegetation with native plantings.	
4. The built environment will be designed to provide and protect views to rolling hills and volcanoes and to enhance visual and physical access to the North Yamhill River. New streets and open spaces will be oriented to capture views.	Require viewshed analysis as part of Design Review.	
5. Enhancing connections to existing trails and open space, such as connections into Joe Dancer Park and McBee Park, and creating a public greenway along South Yamhill River with trails and connections to the Three Mile Lane Area is a priority.	Require connection to proposed trail, trail right-of-way dedication, and trail construction as part of Design Review/development approval.	
6. New gathering spaces will be designed to incorporate natural areas and views.	When proposed as part of a Planned Development master plan, require gathering spaces be designed to incorporate natural areas and views as a condition of approval.	
7. Require native landscape plantings with seasonal variation and tree plantings that include shade streets with mature tree canopy.	Require native landscaping and plantings of all development through Design Review.	Develop and define approved planting list and approved tree list.

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Policy	Overlay Amendment	Recommended Future Action
8. A network of sidewalks and trails will connect people to key locations within the Three Mile Lane Area.	Apply pedestrian walkway and connectivity standards to all non-residential development. Note: Pedestrian walkway standards, currently are applied to Large Format Retail; site design requires connections between buildings and from building entrances to streets (§17.56.050.C.2).	
9. The Three Mile Lane Area will have safe bicycle routes for residents and touring cyclists.	Require transportation improvements consistent with the Area Plan through Design Review.	
10. Proposed new streets will connect to the existing local street grid, consistent with the conceptual designs in the Three Mile Lane Area Plan and in compliance with Transportation System Plan standards.	Require transportation improvements consistent with the Area Plan through Design Review.	
11. New commercial developments should be designed to be at a walkable, human scale and for ease of use by all ages and abilities.	Requirements for commercial building size and massing. Standards for parking maximums for all uses. Parking lot location requirements for commercial uses.	Additional guidelines or standards related to façade treatments. 17.56.050 Development Standards
12. New commercial, office, mixed-use, and multi-family developments should be designed to reflect the micro-climate and enhance outdoor life through the incorporation of features such as porches, balconies, courtyards, plazas, etc.	Require as part of Design Review: <ul style="list-style-type: none"> Standards for non-residential buildings to include minimum pedestrian shelter coverages along ground floor elevations/street frontages and main entrances. Residential design features to include clear and objective building design standards/architectural elements. 	Additional guidelines or standards related to façade treatments.
13. New commercial, office, mixed-use, and industrial campus developments should promote inclusion and interaction within the right-of-way.	Require as part of Design Review: <ul style="list-style-type: none"> New requirements for building orientation (set-to, building orientation); Additional guidelines or standards related to façade treatments, including transparency. Provision of on-street parking for ground-floor commercial uses (new requirements allowing on-street spaces to be counted toward parking minimums, new cross-section standards for streets with ground-floor retail). 	
14. Encourage mixed-use development where feasible.		Consider additional guidelines or requirements for the Mixed Use area.

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Policy	Overlay Amendment	Recommended Future Action
15. Proposed site landscaping for new development should strive to reflect patterns of wine industry—eg, rows of vines, southern orientation, shelter belts of trees – and consider functional site planning of vineyard and farm complexes as conceptual models.	Require landscaping proposed as part of a Planned Development master plan to demonstrate how it reflects existing patterns.	
16. New development should consider adjacency to agricultural fields and respect this heritage through careful transitions.	Buffer/perimeter requirements for new non-residential development adjacent to a dissimilar use.	Determine if specific buffering requirements are needed for proposed development abutting land zoned exclusive farm use.
17. Architectural building design that includes simple roof forms (industrial and agricultural) is encouraged in the Three Mile Lane Area.		Develop design guidelines or architectural standards.
18. Encourage a diversity of future housing forms, types, and design that respect the current character of the area.	Buffer/perimeter requirements for new non-residential development adjacent to a dissimilar use.	Evaluate Zoning Ordinance to ensure there are clear and objective design standards for new residential development.
19. Ensure that new commercial and industrial campus development creates a welcoming and visible interface with Three Mile Lane.	Requirements for landscape buffering fronting Three Mile Lane. Requirements for non-residential development related to building facades, including addressing blank walls and requiring articulation and materials or color variation.	Develop design guidelines to encourage a more cohesive visual character along the corridor.
20. Encourage site design and architecture that visibly convey the historic or current industry on the site (e.g., aviation, wine-making).		Develop design guidelines or architectural standards.
21. New commercial, mixed-use, office, and industrial campus development should consider using local materials for cladding and building structure (timber, corrugated steel cladding, red brick), and incorporating vibrant color.	Requirements for non-residential development related to building facades, including addressing blank walls and requiring articulation and materials or color variation.	Develop additional design guidelines or standards related to façade treatments; define acceptable color palate.

All of these have been assembled into the attached Recommended Design Booklet, that staff recommends be adopted as part of the Three Mile Lane Area Plan.

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Attachments:

- *Three Mile Lane Area Plan, March 2022*
- Amendment to Chapter VI, Transportation System Plan, *McMinnville Comprehensive Plan*
- Proposed Amendments to Appendix E, "Implementation"
- Memorandum, March 9, David Evans and Associates, Bicycle/Pedestrian Overpass

Fiscal Impact:

This effort was funded by a Transportation Growth Management grant from Oregon Department of Transportation and Department of Land Conservation and Development.

Recommendation:

Staff recommends the Planning Commission recommend the proposed Comprehensive Plan amendments to the McMinnville City Council for adoption.

"I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE CITY COUNCIL AMEND THE *MCMINNVILLE COMPREHENSIVE PLAN* BY ADOPTING THE *THREE MILE LANE AREA PLAN* AS A SUPPLEMENTAL DOCUMENT TO THE *MCMINNVILLE COMPREHENSIVE PLAN*, AND TO AMEND THE *MCMINNVILLE COMPREHENSIVE PLAN*, VOLUME II, CHAPTER VI, TRANSPORTATION SYSTEM, AS PRESENTED IN DOCKET G 7-21."

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City of McMinnville



Three Mile Lane Area Plan

March, 2022

Citizen Advisory Committee:

Planning Commission	<i>Lori Schanche</i>
City Council	<i>Zach Geary Scott Hill Wendy Stassens</i>
Representatives of Property and Business Owners in the Study Area	<i>Robert Banagay Paul Davis Danielle Hoffman Peter Hoffstetter Kit Johnston Stewart Kircher Chris Norville Alan Roodhouse Chris Shelby Mary Stern</i>
Partner Agencies	<i>Scott Cooper – MEDP Kitri McGuire – Visit McMinnville Gioia Goodrum – McMinnville Chamber of Commerce</i>
Community Stakeholders	<i>Courtney Cunningham Ken Denier Alan Fox Phil Frischmuth David Hayes Galen McBee</i>

Technical Advisory Committee:

Planning Staff	<i>Heather Richards Jamie Fleckenstein Chuck Darnell Tom Schauer Adam Tate</i>
Engineering Staff	<i>Mike Bisset</i>
Parks and Recreation Staff	<i>Susan Muir</i>
McMinnville Water and Light	<i>John Dietz</i>
ODOT	<i>Michael Duncan Dan Fricke Keith Blair Dorothy Upton Jenna Berman Kristie Gladhill</i>
DLCD	<i>Angela Carnahan</i>
YCTA	<i>Cynthia Thompson</i>

Consultant Team:
*Angelo Planning Group
 David Evans and Associates, Inc.
 Leland Consulting Group
 Walker Macy*

McMinnville Three Mile Lane Area Plan

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This Project is partially funded by a grant from the Transportation and Growth Management (“TGM”) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and

Development. This TGM grant is financed, in part, by federal Fixing America's Surface Transportation Act ("FAST-Act"), local government, and State of Oregon funds.

The contents of this document do not necessarily reflect views or policies of the State of Oregon.

INTRODUCTION

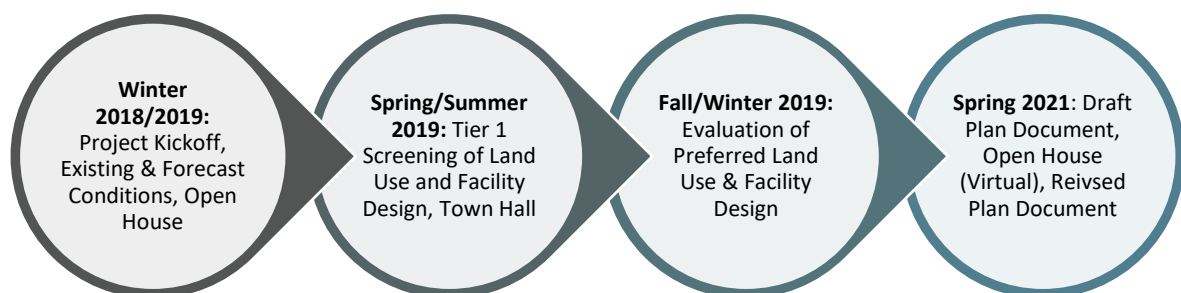
The Three Mile Lane area is a unique district in the southeast portion of the City of McMinnville. The area contains approximately 1,340 acres of land with a variety of existing land uses and several large vacant parcels. The Three Mile Lane Area Plan is intended to create an implementable vision for the area's future land uses and multi-modal transportation system.

As an Area Plan, the Three Mile Lane Area Plan shall serve as a guiding document for land uses and public facilities in the delineated area of this plan. Specific standards for development will be identified in McMinnville's Master Plans and Municipal Code.

Planning Process

The project began in Fall 2018, with an overarching objective of creating a plan that integrates land uses and a multimodal transportation system that serves both local and state transportation needs and provides active connectivity within the plan area as well as to the City's downtown core. The process of developing the Three Mile Lane Area Plan has been guided by the community at many points, including:

- Three Focus Group meetings
- Three Citizen Advisory Committee meetings
- Citizen Advisory Committee Design Charrette
- Property Owners Work Session & Case Studies
- Three Technical Advisory Committee meetings
- Two Community Open Houses
- A Town Hall Meeting



AREA DESCRIPTION

The Three Mile Lane area is shown in Figure 1. It contains roughly 1,340 acres in total with a wide range of existing uses, including the McMinnville Municipal Airport, Evergreen Aviation and Space Museum, the Chemeketa Community College (CCC) Yamhill Valley campus, Willamette Valley Medical Center, and existing residential neighborhoods. Along with these existing uses, the area contains a significant amount of vacant land within the City’s Urban Growth Boundary (UGB). This Area Plan is intended to guide growth in a way that is consistent with the McMinnville community’s desires and coordinated with the City’s other planning efforts.

Figure 1. Study Area Context

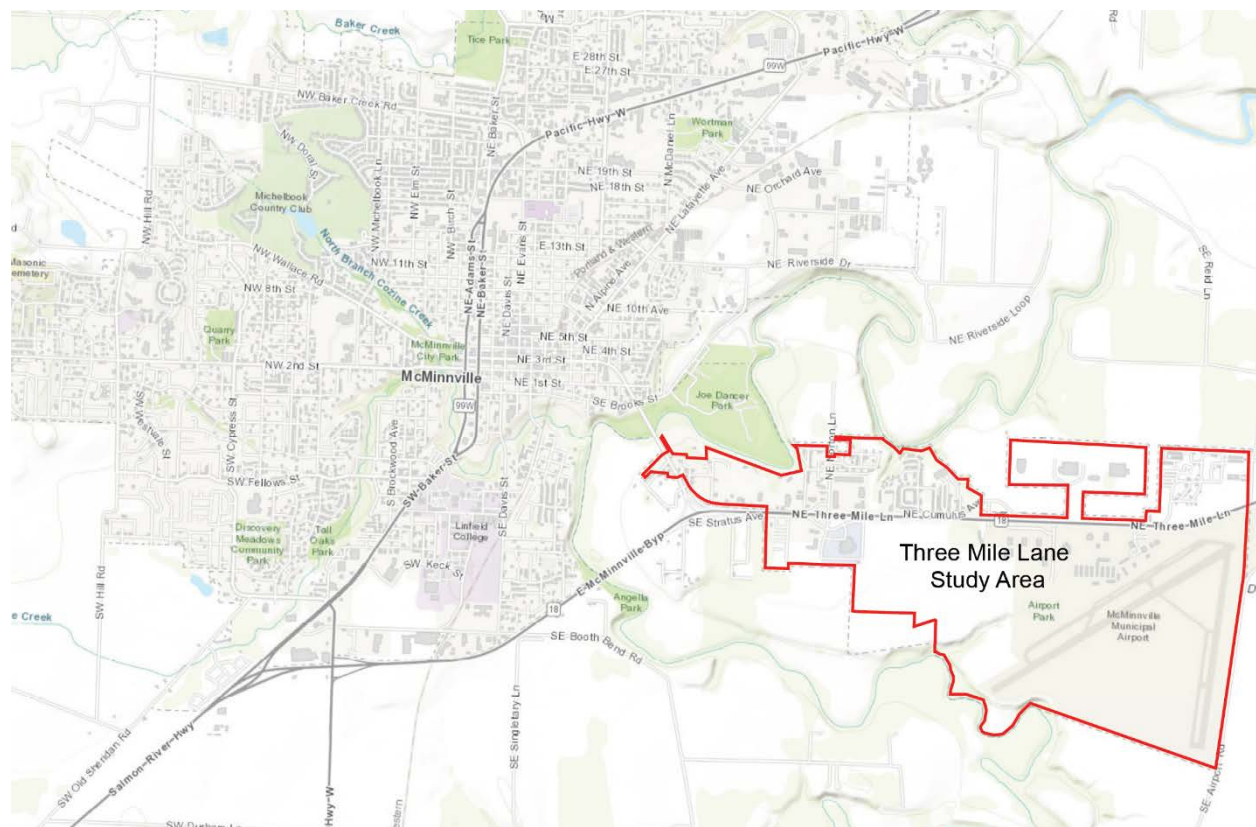
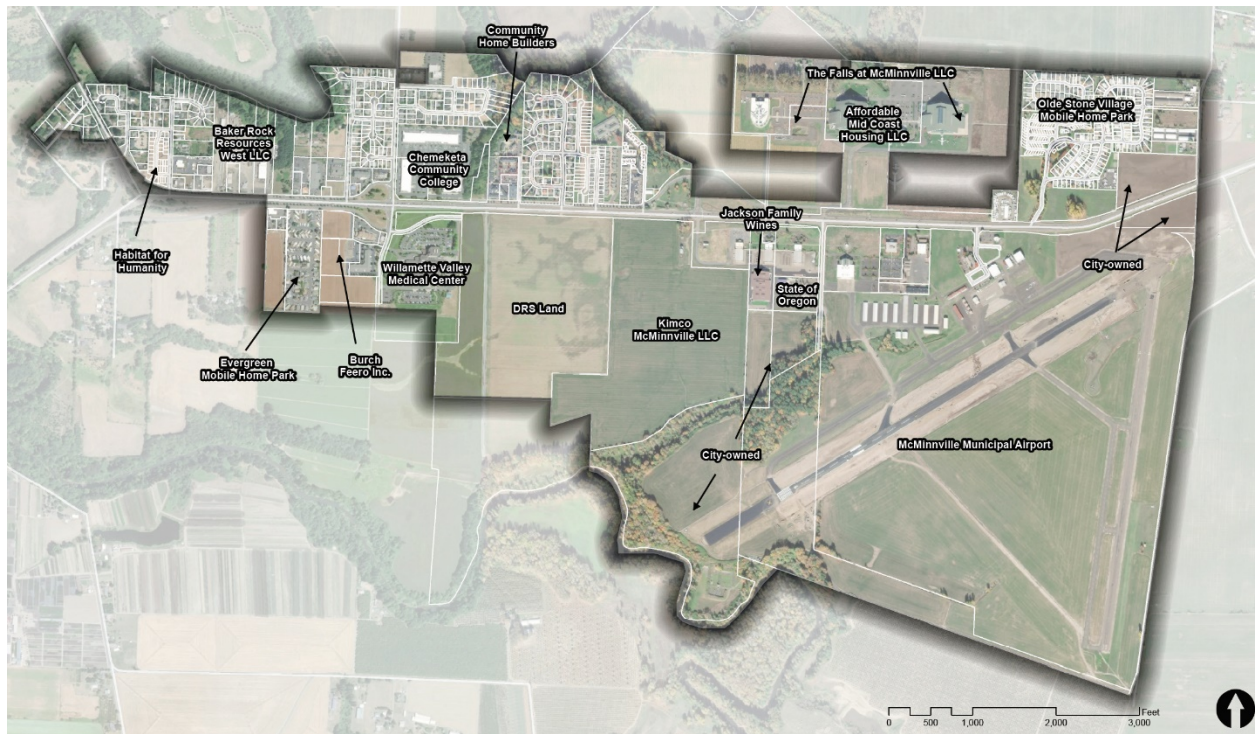


Figure 2. Study Area



Neighborhoods

The existing neighborhoods in the area include the land south of the Yamhill River Bridge, which connects the study area to downtown McMinnville; the Evergreen Mobile Home park and Olde Stone Village manufactured homes/RV park; and apartments and senior living communities north of Cumulus Avenue.

Within the residential and commercial areas on the north side of Three Mile Lane there are opportunities for new mixed-use development, creating varied, diverse, complete neighborhoods that provide different types of housing, access to green space, and connections to walkable services. A key element will be the integration of complete streets; those that prioritize safe walking and biking for people of different ages and allow travel between homes, jobs, services, and recreation.

Existing Residential Neighborhoods



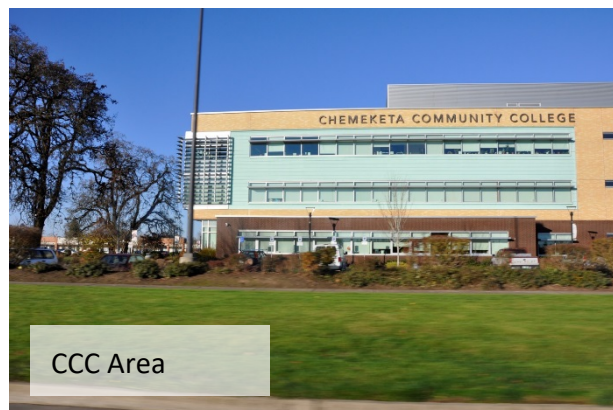
Industrial

There are over 200 acres of vacant land in the Three Mile Lane area that are largely served by existing infrastructure and zoned for industrial uses. Most of this vacant land is found in a few large parcels, which could be ideal for large-scale and cohesive planned development.



Amenities and Attractions

Amenities and attractions in the area include the airport; Evergreen Space & Aviation Museum, water park, and event center; and the Yamhill River. The Three Mile Lane area is also host to several large employers, including medical centers and clinics, and industrial and office sites. These amenities and attractors serve McMinnville residents as well as tourists from outside the city. For nearby residents, safe and convenient connections to amenities will be key as the area develops, as will creating the opportunity for new amenities that serve daily needs and fuel economic development. There is a clear opportunity to provide a formal welcome to McMinnville as a marked destination with a distinct personality.



Zoning

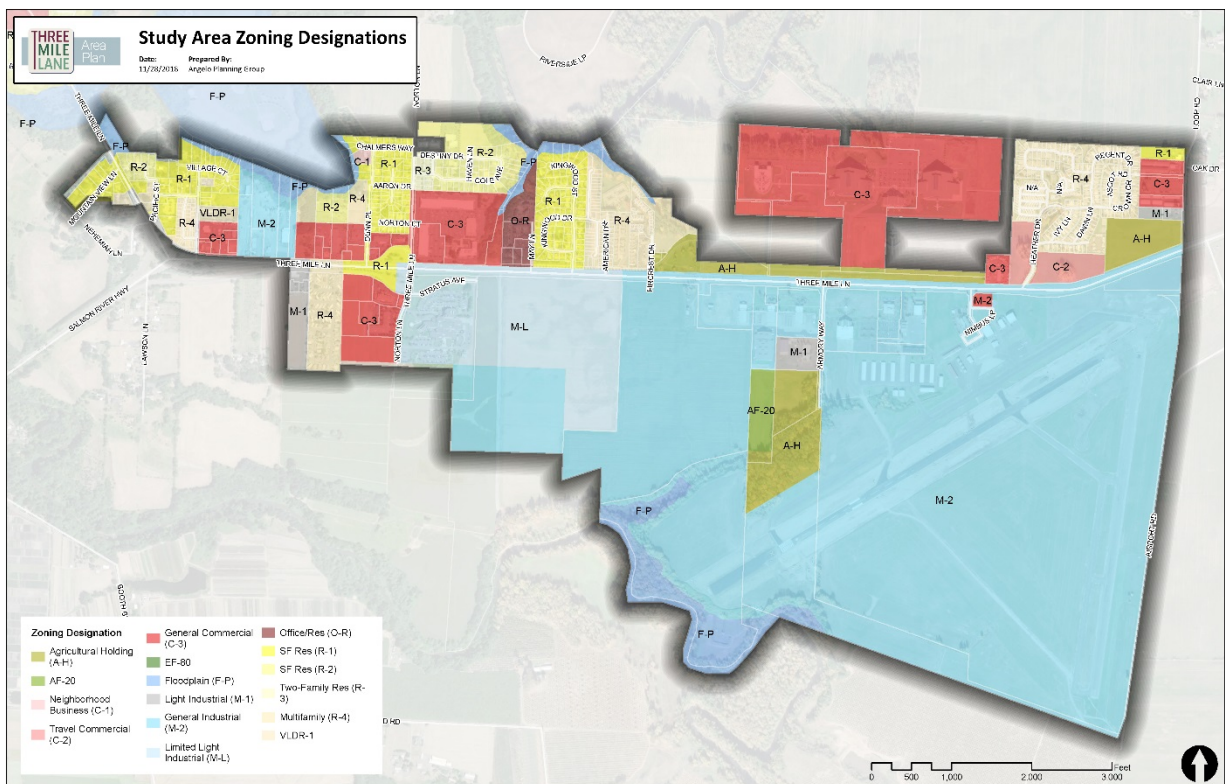
The Three Mile Lane area contains land in several zoning designations shown in Figure 3, as follows:

- **Industrial.** M-L provides for industries with limited external impact in an attractive setting; M-1 is for industrial uses that require buffering from other uses and environmentally sensitive areas, it includes a wide range of industrial uses; M-2 allows all uses in M-L and M-1, but also allows general manufacturing and airports as well as “leisure time activities” as conditional uses.
- **Residential** R-1 is low density, single family residential; R-2 single family with a slightly higher density; R-3 allows two-family dwellings throughout the zone; R-4 allows multi-family dwellings and condos.
- **Commercial.** C-1 is smaller-scale neighborhood services; C-2 provides for travel-related uses like lodging and gas stations; C-3 accommodates a wide range of uses like big box stores and theaters.

- **Agricultural Holding.** 49 acres held to provide for the continued practice of agriculture. Permitted uses are limited to farming, single-family dwellings, and sewage pump stations. Parks are allowed as conditional uses.
- **The Three Mile Lane Planned Development Overlay** covers the entirety of the study area. The overlay district was adopted in 1981 (Ordinance No. 4131) and amended in 1994 (Ordinance No. 4572). As stated in the original ordinance, the overlay was established to ensure high quality design, compatibility of living and working environments, provision of open spaces and parks, and buffering of residential uses from the highway. The 1994 amendments were adopted to replace outdated policies, as well as to regulate commercial signage along the Three Mile Lane corridor. The overlay ordinance outlines a number of policies related to the development of properties in the Three Mile Lane area, including provisions for setbacks, access, landscaping and buffering, and desired housing types. The ordinance also outlines a set of detailed provisions related to commercial signage. While the Three Mile Lane Planned Development Overlay regulates certain aspects of development within the study area (highway setbacks, access, signage, etc.), development in this area is largely regulated by the underlying base zones.

Appendix B contains a detailed evaluation of the existing zoning within the study area.

Figure 3. Three Mile Lane Area Zoning Designations



Transportation

The existing street network in the Three Mile Lane area includes Three Mile Lane (OR 18), minor collectors Cumulus Ave and Norton Lane, and a network of local streets that are not well connected.

Figure 4. *Street Network Functional Classification*



Vehicular Traffic. There are operational deficiencies at the two intersections at the ends of the study area: Three Mile Lane at First Street, and OR 18 at Cruickshank Road. The two major signalized intersections on OR 18 at Norton Lane and Cumulus currently operate well within the mobility targets outlined in the Oregon Highway Plan. There is a notable crash history at the intersection of OR 18 and Cruickshank Road. Though it is not within the city limits and city jurisdiction, this intersection is a logical location to consider in this planning effort relative to safety mitigation and opportunity for potential gateway streetscape improvements.

Transit. The Yamhill County Transit Authority (YCTA) provides limited (hourly) service in the study area on Route 2, with direct links to downtown McMinnville and the city Transit Center. If and when YCTA service increases to a 30-minute frequency, future transit access will improve within the Three Mile Lane area.

Bicycle Facilities. Today the area has very limited bicycle facilities, and frequently the only option available to cyclists is to ride in general purpose travel lanes. While the major streets in the area are generally flat with good pavement conditions, vehicular traffic volume is relatively high and travel is at higher speeds (35 mph and higher). The lack of separate bike lanes, buffered bike lanes, or separated facilities contributes to a poor overall environment for cyclists seeking to travel within the study area network. Creating attractive, low-stress bicycle facilities on key routes within the study area will require examining traffic calming design adaptations and lower speed limits, and implementing buffered bike lanes or separated pathways will make cycling more attractive and safe.

Pedestrian Facilities. Many of the key existing streets and intersections in the area contain essential but limited pedestrian features. Some of the sidewalks are older, but functional and the system provides a baseline, if minimal, connected network within the study area. Linkage to the McMinnville city center is limited to the Yamhill River Bridge. The existing pedestrian realm lacks important features that would otherwise contribute to more safe and inviting walking environments on Norton Lane, Cumulus Avenue, and Stratus Avenue. The original factory outlet mall development building is a barrier to more direct pedestrian and bicycle travel along Cumulus

Avenue and the crossing of Norton Lane, making it more difficult for residents east of Norton Lane to walk and cycle to McMinnville's central city.

Natural Features

The Three Mile Lane Area is bounded to both the north and south by the South Yamhill River and its associated natural areas, including several mature tree stands with defining character. Airport Park to the south includes two loop trails that cross a small tributary stream that flows into the South Yamhill River. This park is also defined by dramatic views to Mt. Hood and Mt. Jefferson on sunny days and features several pieces of quirky concrete artwork. People living and working in the Three Mile Lane area would benefit greatly from the preservation of and connection to these natural features.



Mature Stands of Trees within the Three Mile Lane Area



Example of Nature Trail Along Sensitive Riparian Area

Economy

McMinnville is poised to capitalize on strong retail demand and its location in the region. The McMinnville retail trade area extends all the way to the Oregon Coast due to the lack of prominent commercial centers between the Willamette Valley and the coast. However, much of this retail market remains untapped, and the Three Mile Lane study area is poised to capture a significant portion of demand with a diverse array of commercial development. Such development would help

foster a sense of place, provide amenities for residents and visitors, and have a significantly greater economic impact than a development build-out comprising simply of traditional industrial.

A detailed market analysis for the area was prepared and is included in Appendix B. Some of its key points are discussed below.

- **Ownership residential.** The market is strong for single-family, with high home values, household incomes, sales volumes, absorption, and construction activity. The quantity depends largely on the City's vision for the area, applicable zoning, and buildable land.
- **Rental Residential.** Despite solid national development prospects and strong market area demand due to high growth, low-rise rental apartments and multiplexes are likely the primary building types feasible in the study area because of relatively weak market characteristics.
- **Retail.** The study area is well-positioned for new retail development, particularly large-format retail. Neighborhood-serving retail may be a mid- to long-term aspiration when additional residential construction occurs.
- **Office.** The office market is relatively weak, and the absorption of significant speculative new development should not be expected. However, opportunities may arise because of McMinnville's high quality of life, and the Three Mile Lane corridor's proximity to the airport and institutional users, such as healthcare and education.
- **Industrial.** The industrial market remains strong due to the growth of agriculture, food and beverage production, and manufacturing. Continued growth may generate demand in the study area, but development may negatively impact prospects for other land uses, such as lodging and multifamily due to concerns over air and noise pollution as well as truck traffic.
- **Lodging** is likely to be a significant development type over the long-term, but the area may struggle to attract hotel developers due to its existing industrial character, lack of walkable amenities, and isolation from downtown. An assessment of the opportunities to capture demand associated with the burgeoning \$7 billion wine industry in the Willamette Valley and related tourism development requires further, more nuanced analysis.
- **Tourism** is a booming industry, particularly with regard to the wine industry, increasing market pressure for the new construction of compatible uses, such as experiential retail and restaurants, lodging, and craft industrial, as well as recreational amenities, such as trails and parks, that combined help to create an authentic, vibrant place

COMMUNITY VISION AND GOALS

An aspirational vision statement, community goals and objectives, and potential criteria to evaluate land use and transportation options for the Three Mile Lane area were developed early in the project. They were created to articulate the Three Mile Lane Area Plan's desired outcomes and help in the evaluation of options for the area. Plan objectives were further refined using McMinnville's Great Neighborhood Principals.

Three Mile Lane Vision and Goals

The Three Mile Lane District is a vibrant community that serves as the gateway to Downtown McMinnville and Oregon Wine Country. Employment opportunities, attractive housing options, and tourist destinations characterize the area. Residents and workers enjoy safe and efficient options to travel to Downtown McMinnville and benefit from close proximity to a variety of goods and services, all easily reached by motorist, bicyclist, pedestrian, and transit rider alike. The connection to McMinnville's rich history and the surrounding landscape is reflected in urban design elements throughout the area, highlighting the uniqueness of this special place. The following goals capture the community's desire to enhance this special area.

GOAL 1: Support and enhance the district's economic vitality and marketability.

This plan aims to support development of significant industrial and commercial parcels within the study area, enhance existing business by diversifying goods and services available in the area, and increase tourism. Alternatives will be evaluated qualitatively for how well they address the area's development/redevelopment potential.

GOAL 2: Provide opportunities for a complementary mix of land uses, consistent with the vision of a diverse and vibrant district.

The study area contains several existing residential neighborhoods, including assisted-living and manufactured home residences, as well as major employers and tourism destinations. This plan aims to provide a mix of land uses that support one another to create a unique part of the city.

GOAL 3: Enhance multi-modal connections throughout the district.

This plan aims to create a complete, multimodal transportation network that serves the north and south side of OR 18 within the district, and that connects the business community, the hospital, residential neighborhoods and tourism amenities to each other and to the city center. Alternatives will be evaluated through criteria measuring transportation safety and performance for all modes of travel: pedestrian, bicycle, transit, freight, and personal vehicles.

GOAL 4: Create an aesthetically pleasing gateway to the City of McMinnville

The study area is a primary gateway to the City of McMinnville. Alternatives will be evaluated qualitatively for how well they provide an identity for the district, reflect McMinnville's intrinsic character and highlight the landscape features of the district.

GOAL 5: Improve the district for existing and future McMinnville residents in the area.

The City of McMinnville's Great Neighborhood Principles identifies amenities and facilities that should be present in all residential areas, including a variety of housing types, pedestrian and bicycle connectivity, preservation of scenic views and natural features, access to open space, and access to commercial necessities. This plan aims to support those Great Neighborhood Principles for residents in the study area by providing multi-modal connectivity, single-family and multi-family housing, provisions for open spaces, and commercial amenities, such as grocery stores, restaurants, and more.

Great Neighborhood Principles

In April 2019, the City of McMinnville adopted the Great Neighborhood Principles into the City's Comprehensive Plan. Their purpose is to guide the land use patterns, design, and development of the places that McMinnville citizens live, work, and play. These 13 principles are listed below. Under each principle are specific policies that detail how these principles are expected to be expressed in a site and context-specific way within the Three Mile Lane Area.

1. *Natural Feature Preservation*

- Strive to protect tree groves
- Strive to protect individual trees
- Protect riparian corridors and adjacent native landscape



2. *Scenic Views*

- Provide and protect views to rolling hills and volcanoes
- Provide visual and physical access to North Yamhill River
- Orient streets and open spaces to views



3. *Parks and Open Spaces*

- Connect to Galen McBee Airport Park
- Connect to Joe Dancer Park
- Create new gathering spaces that incorporate natural areas and views
- Plant landscapes that incorporate natives and exhibit seasonal variation



4. *Pedestrian Friendly*

- Provide a network of sidewalks and trails to connect people to key locations
- Incorporate shade streets with mature tree canopy

5. *Bike Friendly*

- Plan safe routes for residents and touring cyclists

6. *Connected Streets*

- Connect to existing street grid in the Three Mile Lane area



7. *Accessibility*

- Design new development for ease of use by all ages and abilities

8. *Human Scale Design*

- Respect typical scale of commercial uses in McMinnville
- Design to reflect the micro-climate—outdoor life, porches, balconies
- Promote inclusion and interaction within the right-of-way



9. *Mix of Activities*

- Encourage mixed-use development where feasible

10. *Urban-Rural Interface*

- Reflect patterns of wine industry—eg, rows of vines, southern orientation, shelter belts of trees
- Consider adjacency to agricultural fields and respect this heritage through careful transitions
- Design simple roof forms (industrial and agricultural). Height and distinctive forms of silos can be inspiration
- Consider functional site planning of vineyard and farm complexes as conceptual model for new development



11. *Housing for Diverse Incomes and Generations*

- Allow for a mix of future housing forms and types, respecting the current character of Three Mile Lane

12. *Housing Variety*

- Respect existing variety of housing types in Three Mile Lane and ensure diversity of design for future housing



13. *Unique and Integrated Design Elements*

- Ensure visibility from highway; Welcome to McMinnville
- Make functions of sites visible (airplanes, wine-making); continue expression of industry/making where applicable
- Aviation legacy: display large planes; consider sensation of low-flying planes, potential visual impact of sites from the air
- Consider local and/or sustainable materials for cladding and building structure (timber, corrugated steel cladding, red brick)
- Use vibrant color



THE THREE MILE LANE AREA PLAN

This section describes the land use, urban design, and transportation elements that will guide future development and planning decisions in the Three Mile Lane Area. These elements are part of the “Preferred Alternative,” arrived at through conversation with the community at several online and in-person open houses and refined by City staff and stakeholders. The Area Plan’s combination of desired uses and transportation connections achieves the community’s vision and goals while uniquely realizing the City’s Great Neighborhood Principles.

Land Use Summary

The Three Mile Lane Area Plan’s land uses are shown in Figure 4. The defining characteristics south of the highway include a large (40 - 60-acres) area envisioned as a future retail center, and a large (140 – 160 acres) site for a potential corporate “Innovation Campus” to the south of this retail center. To the west, in areas near SE Norton Lane and the Willamette Valley Medical Center, opportunities for office and medical uses are envisioned. North of the highway is a new mixed-use designation proposed on the current Baker Rock site.

The Three Mile Lane Area Plan is accompanied by context-sensitive urban design considerations that build on the Great Neighborhood Principles. These include:

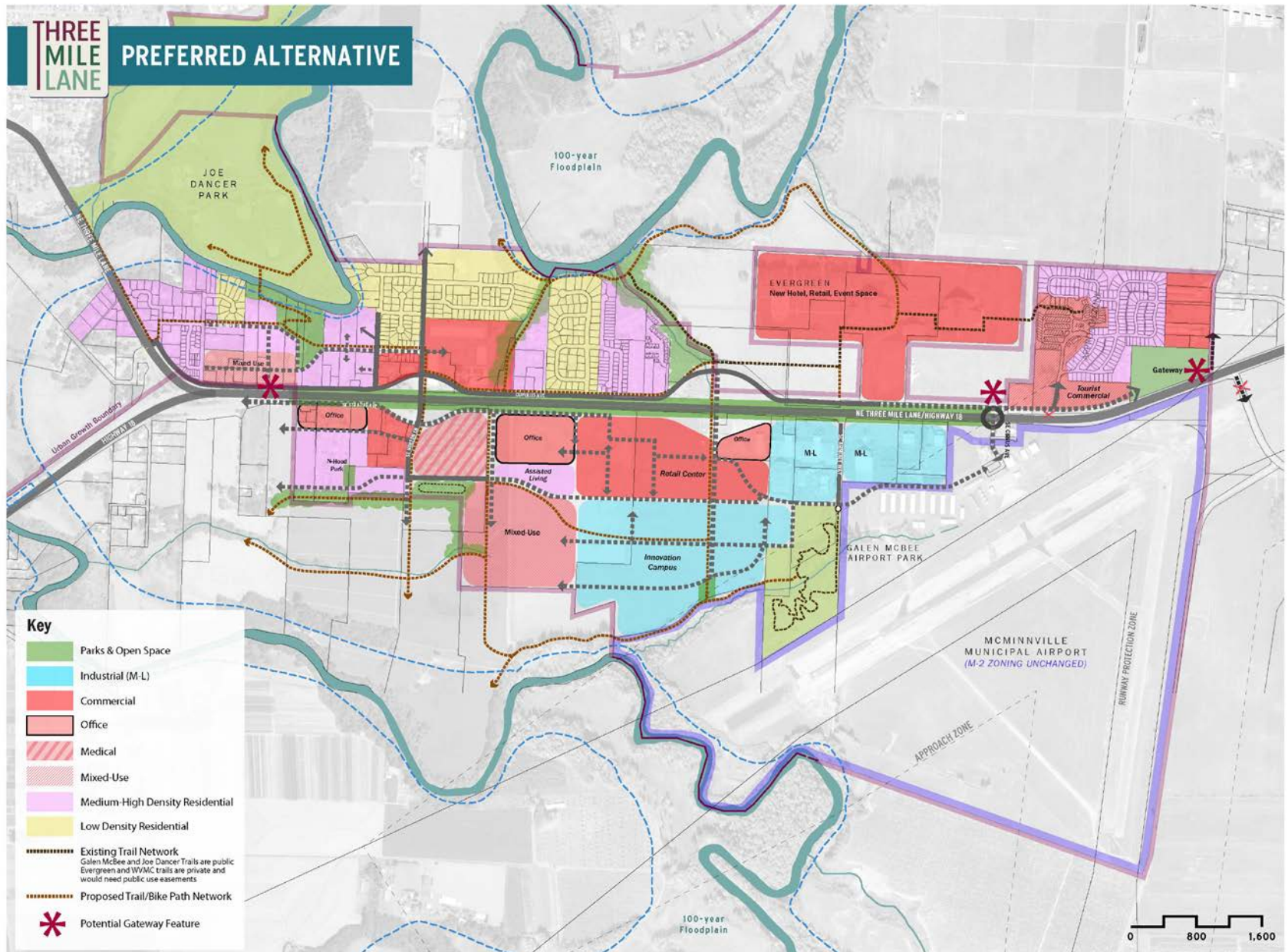
- Avoid parking lots and blank walls on OR 18 edge
- Create a walkable retail development with a “town center” feel (as described in the following pages)
- Encourage orientation of industrial campus buildings to Yamhill River and maintain view corridors through campus
- Consider setting future development back from Yamhill River to reduce impacts
- Create grid of walkable streets
- Improve frontage roads for safer walking and biking
- Integrate new Evergreen campus development with architectural language of existing buildings and site landscape features, preserve views of oak forest
- Consider aviation-themed gateway features

Key features of the Area Plan include:

- **Walkable Retail Development.** A central feature is a sizable, (over 40-acre) retail center south of Three Mile Lane at Cumulus. The quality of this development’s architecture and streetscape, the connectivity it provides to the street system south of OR 18, and generally, how well it responds and contributes to McMinnville’s Great Neighborhood Principles will be key to the success of this plan in gaining public approval.
- South of this retail development is a prime location for a mix of corporate office and industrial users in an **Innovation Campus**. Due to its proximity to the Yamhill River, the campus has the potential for “Trail-Oriented Development,” an increasingly popular amenity-driven development trend which offers future users and tenants an appealing orientation to views of natural features and use of outdoor space for employee wellness.

- West of the retail center and industrial campus site, a **flexible zone of mixed office or industrial** uses is offered, providing potential sites for users drawn by the synergy of being close to larger corporate users, with subcontractors or suppliers in office or light industrial spaces.
- **New mixed-use and health care-related uses** have been identified near the existing hospital. Housing, especially senior housing, is a very strong market opportunity. Building forms are expected to be horizontal mixed-use, rather than vertical mixed-use.
- The **Evergreen Tourism Area** is identified as a good location for new hotel, retail, and event space. The site is highly visible and suitable for a clustering of mutually beneficial uses. Travel-related commercial development is envisioned in the northeastern portion of the study area. This area is advantageously situated near the Evergreen complex, making it a good site for additional services and attractions for the traveling public.
- **New residential neighborhoods and continued development of existing neighborhoods** in locations in the western parts of the study area.
- **A cohesive trails system** that ties together major amenities and neighborhoods, with safe crossings of OR 18 and a potential connection to Joe Dancer Park.

Figure 6. Three Mile Lane Area Plan



Urban Design Elements

The plan features some distinct areas where change is expected to occur over time. North of Three Mile Lane, the most notable change is the mixed-use designation in the northwest. South of the highway, land use designations that are distinctly different than what exists today include medical commercial, office, and residential designations near the Willamette Valley Medical Center and the area of commercial between the hospital and the McMinnville Municipal Airport. Specific features and design considerations for the Three Mile Lane's diverse areas are discussed in this section. Key urban design elements that are expected to be incorporated into future development are listed below, as well as illustrated in "precedent" images and conceptual site designs.

Mixed-use Area

The Three Mile Lane Area Plan envisions continued growth and development in the northwest of the study area between Cumulus Ave and the Yamhill River. Existing residential neighborhoods are anticipated to see gradual infill and redevelopment in this area. New households in the Three Mile Lane area will require and support local services. The improved transportation connectivity envisioned with the Three Mile Lane Area Plan will provide alternatives to OR 18 for local trips.

Locally-serving retail and services have been a major discussion item during this planning process. As the area continues to evolve, providing more opportunities for a mix of uses, employment, and tourism, the existing industrial site (Baker Rock Site) on NE Cumulus Avenue may prove to be a more suitable location for something other than a ready-mix concrete plant. Allowing for a variety of commercial and residential uses in this area can provide additional housing, locally serving retail and other amenities, and enhanced multi-modal transportation connectivity. This area is well-suited for mixed-use development because it is large enough to accommodate and separate several uses in a way that responds to different context conditions. The site is also mostly flat with potential for good connections to the east and west.

Figure 7. *Mixed Use Area (Baker Rock Site) Conceptual Design*



Figure 7 shows this site, which extends between OR 18 and a steep bluff overlooking the North Yamhill River, two adjacencies that will shape its eventual development. Most of McMinnville’s Great Neighborhood Principles can be honored through future site master planning. This infill development can protect natural areas and views, connect to parks and open spaces, provide a connected, bike and pedestrian-friendly neighborhood, and encourage mixed-use development with diverse housing types and unique, high-quality design. Retail or office uses are better suited to the more visible and accessible southern half of the site. Residential uses are best suited to the northern half, further away from OR 18, with views to the river and Joe Dancer Park.

Key Urban Design Elements:

- Local street grid. Local streets can be logically extended through the site from the west (NE Atlantic) and the east (NE Dunn Place), creating access to the commercial and residential halves of the site, while a new central ‘Main Street’ can be extended north from NE Cumulus Avenue, bisecting the site and creating two crossroads intersections. The proposed street extending east-west across the northern half of the site follows the top of the bluff and should be designed as a well-landscaped parkway, with an adjacent multi-use trail which will eventually extend throughout the Three Mile Lane study area as a safe parallel route to OR 18.
- Building orientation. New buildings should be located to form an urban frontage, with no setbacks, at the intersections of local streets.
- Building and site design. Pedestrian-scaled ground floors, prominent entries, and canopies over sidewalks with street trees, on-street parking, and safe crossings. Surface parking could include EV charging stations, bicycle parking and a transit stop and be located behind these frontages, separated from adjacent uses by well-landscaped green buffers.

- **Natural features.** Where the Main Street meets the bluff-top street, a public overlook can provide views to Joe Dancer Park and perhaps even a trailhead for a nature trail switch-backing down the bluff to a riverside trail system and a potential footbridge over the river connecting to the park and beyond to downtown. This could serve as a valuable pedestrian and cycling connection to downtown to supplement the new Three Mile Lane Bridge.

Tourist Commercial

The Evergreen complex continues to draw visitors to McMinnville who support other local businesses in the Three Mile Lane area and beyond. The Area Plan foresees the continuation and intensification of tourism-related uses as allowed by existing zoning designations. East of Evergreen, land is currently zoned for commercial uses along the highway and has the possibility of hosting more tourism- and travel-related commercial uses in the vicinity of the Aviation & Space Museum and waterpark. The Area Plan envisions activities and uses related to visitors and the traveling public that could boost tourism and be mutually beneficial to existing attractions. A cluster of these uses in the northeast part of the study area could have a synergistic effect, strengthening McMinnville's and the region's reputation as a destination.

Key Urban Design Elements:

- **Connectivity to the Evergreen complex.** An important design element of this visitor-oriented area is connectivity to existing Evergreen tourist uses. Providing a safe walking and biking connection parallel to OR 18 will help integrate future development with the Evergreen attractions, which will continue to attract significant amounts of visitors.
- **"Gateway" location.** In addition, with a prominent location on the east entrance to McMinnville, this development opportunity area should be required to meet the City's Great Neighborhood Principles with high-quality design.

Health Care Area

Vacant parcels surrounding the Willamette Valley Medical Center are a significant opportunity for medical offices, housing for people reliant on medical services, and other uses that benefit from a health care cluster. As envisioned in the Area Plan existing industrial and high-density residential land and uses fronting the highway and in close proximity to the Medical Center could, over time, develop with housing – including assisted living and long-term care facilities - office uses, and services related to the hospital.

Key Urban Design Elements

- **Transitions between uses:** Health care facilities and surrounding residential areas. Health care facilities are often active around the clock with bright lighting and they generate significant vehicle traffic. They also require a lot of delivery traffic and, in the case of a major medical center, helicopter use. Buffering between uses should be considered, particularly senior housing or market-rate apartments with trees, landscaping and other treatments. Assisted living or nursing care facilities, however, would benefit from close proximity to the hospital.

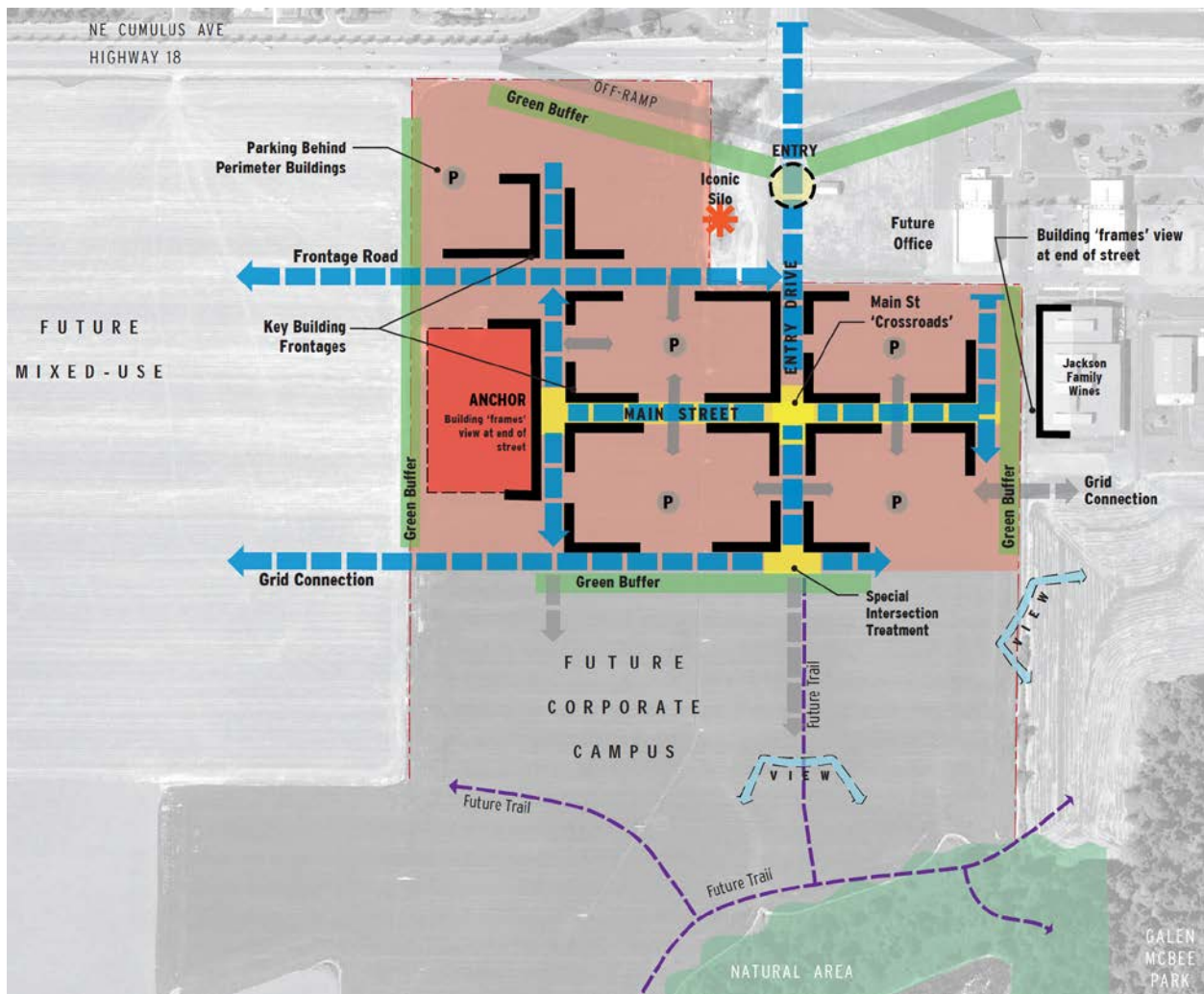
- Transitions between uses: Health care facilities and other commercial uses. The scale and orientation of existing uses, as related to future uses should be considered. For example, while Senior Housing might benefit from a location within walking distance of a retail center, there should be careful site planning to ensure the housing isn't directly adjacent to loading or parking facilities. It may be most feasible to place health-care related housing with an orientation south towards views and the river.
- Walkability between uses. Convenient, safe connections between a variety of uses in this area will be important to current and future users.
- Visual quality of buildings facing OR 18. New development should avoid placing loading docks or creating blank walls visible from passing vehicles.

Retail Center/Innovation Campus

A large area of currently vacant or farmed land stretching from the highway south to the Yamhill River provides a unique opportunity for future development. The design envisioned in the Area Plan is the latest iteration in a process that began with a Property Owners' Workshop. This half-day workshop held at City offices included a presentation of existing site conditions, with confirmation from property owners of natural features, parcel ownership, access, and previous uses. A summary of market conditions was presented, with some suggested adjustments from the owners to reflect their individual research. The workshop concluded with a roundtable discussion of opportunities and constraints, including an exercise where prototypical program 'chips' scaled to the sites, were placed in a variety of potential arrangements to inform initial sketches of concept alternatives.

In addition to the focused property owner workshop, the City of McMinnville held a design charrette for the entire corridor study area with the Citizen Advisory Committee on April 8, 2019. Project participants identified a number of key strengths, including high visibility from Oregon OR 18, many large and/or underutilized parcels, proximity to the airport, concentration of tourist amenities and medical uses, strong connections to regional assets, and an abundance of natural features. Specific opportunities the participants identified included: pedestrian bridges over the highway could provide needed connections at key points, the creation of special complete street standards to encourage biking and walking, requiring stormwater treatment and extensive street tree plantings on all study area streets, considering shared parking standards and 'shadow platting' to encourage future infill on surface lots, and opportunities for new residential at the south edge of the case study site and west of the hospital.

Figure 8. Retail Center Conceptual Design



The retail market continues to evolve rapidly in response to the challenges of competing with online retail and market consolidation. One tactic that the retail industry has successfully used to attract and retain shoppers to brick and mortar establishments is the creation of mixed-use “town centers” that offer gathering spaces, walkable streets and more dining options than typical strip suburban developments or enclosed shopping centers. Mixed-use town centers offer a greater diversity of uses that typical retail developments, particularly as it pertains to entertainment and some office uses, with the latter providing critical daytime population for retailers.

Figure 9. Retail Center Precedent: Old Mill District, Bend, Oregon



Regionally-inspired architecture



Walkable Streetscape with Active Ground Floors

A retail center at Cumulus Ave. is a central feature of the Area Plan. The design of this development, the connectivity it provides to the street system south of OR 18, and how well it contributes to McMinnville’s Great Neighborhood Principles will be key in the success of this plan. This almost 60-acre parcel is one of the largest regional sites with easy highway access. The site is flat and developable—a unique characteristic for a site of this size, and has a locational advantage being both near to the highway and the McMinnville Municipal Airport. Figure 8 provides an example of how this site could develop, implementing design features desired in the Three Mile Lane Area.

Flexibility is key to attracting a corporate Innovation Campus. The City and/or developer would have to be opportunistic and actively market the property and McMinnville as a corporate destination. Early infrastructure investments and construction of housing and commercial amenities within walking distance of the property would help attract a corporate user, as would a clear but flexible vision and development plan for the property.

Figure 10. Retail Center Precedent: Northwest Crossing, Bend, Oregon



The overall goal is for new developments in the Three Mile Lane Area is to echo the features of traditional, older retail districts like downtown McMinnville. Figures 9, 10, and 11 show examples from other Oregon communities, with similar common features that include:

- Human-scale development that is pedestrian friendly.
- Walkable, narrow main streets connecting through the center, with parallel or angled on-street parking in front of retail storefronts.
- Public gathering spaces, bordered by dining and entertainment attractions, featuring play areas and flexible space for programmed public events.
- Shared parking lots, generally located behind buildings, featuring wide pedestrian walkways, EV charging stations, bicycle parking, and transit stops. As well as integrated stormwater treatment and ample landscaping including shade trees.
- Sustainable high-quality architecture, themed in a regionally appropriate way, with buildings placed in prominent locations that contribute to the quality of the pedestrian experience, versus behind large surface parking lots.
- Building edges that create 'frontage' on walkable streets or pedestrian walks, with higher-quality materials, generous windows and pedestrian-scale signage in the first 20-30' of elevation.
- Proximity and connection to a mix of other uses, to encourage walking from residential or office areas to the retail center.
- Generous landscape buffers between the retail center and roadways or parking lots while maintaining maximum visibility for retailers.
- A prominent entry to the site, with signage or a gateway feature.

Figure 11. *Retail Center Precedent: Orenco Station, Hillsboro, Oregon*



Key Urban Design Elements

- **Local identity.** Maintaining the local identity through gateway design elements and development opportunities; establishing formal view protection corridors for Mt Hood, Mt Jefferson, and Amity Hills encouraging mixed uses whenever feasible; and mitigating the visual impact of development on the OR 18 edge.
- **Connectivity.** Transportation and connectivity have been major themes during the planning process. Connectivity—in terms of internal circulation to parks and recreational features and surrounding neighborhoods—is essential, including for pedestrians and cyclists.
- **Parks and open space.** The community has provided input on parks and open space opportunities, identifying the following: prioritizing connections to existing trails and open space (such as connections into Joe Dancer Park), creating a public greenway along South Yamhill River with trail and connections to the study area and McBee Park, and increasing open space opportunities in the study area adjacent to residential uses.

Transportation

Enhancements to the existing local street network supporting the Area Plan are illustrated in Figure 12. The network includes completion of parallel and intersecting streets both north and south of OR 18 and network extension within currently undeveloped lands.

New shared-use paths complement the planned street network that link neighborhoods with planned activity centers and the Galen McBee Airport and Joe Dancer Parks.

Future vehicle traffic conditions for the Three Mile Lane Area, as detailed in Appendix D, were analyzed using three key steps:

1. **Housing and Employment Demographic Data.** Demographic data within the McMinnville UGB was prepared and summarized for year 2041, assuming the no-change “base” land use condition and what conditions would be if the area developed according to the preferred alternative described in this Plan and 2041 Tier 2 land use plan, based housing and employment demographics (McMinnville UGB) for ODOT model inputs.
2. **Transportation Model Network Refinement – Preferred Alternative.** The consultant team coordinated with ODOT to incorporate results from the preferred land use analysis (see Appendix D) to develop assumptions for the Oregon Small Urban Models (OSUM) travel demand model, reflecting the preferred land use option, future OR 18 facility design, and local street system network.
3. **OSUM Model Outcomes and Study Area Intersection Analysis.** ODOT provided future year (2041) model volumes. The analysis for the street design alternative used the travel demand model results to generate traffic forecasts at study area Intersections.¹ The consultant team also did detailed traffic analysis using the model to evaluate future intersection operations in the Three Mile Lane Area.

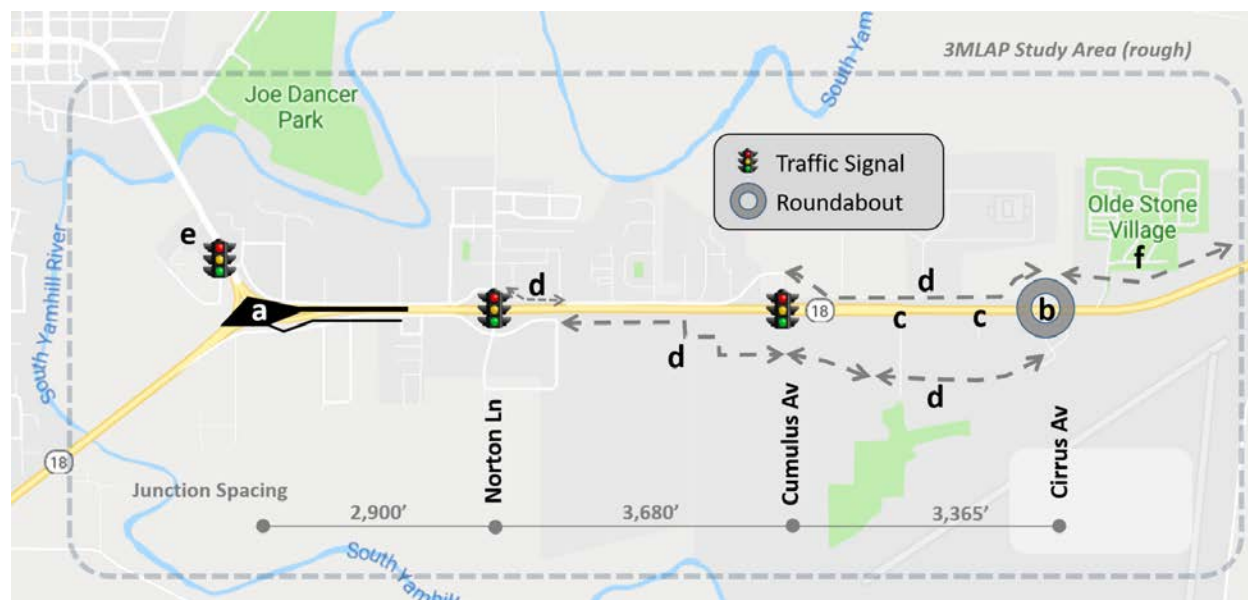
The results of the analysis confirmed that both signalized intersections in the area –OR 18 and Norton Lane and OR 18 and Cumulus Avenue - will operate at volume-to-capacity ratios below ODOT’s established standards under year 2041 Preferred Alternative traffic conditions. However, two of the study area unsignalized intersections fail to meet established mobility targets:

- **Three Mile Lane & First Street –** Three Mile Lane experiences high traffic volumes throughout the day, especially during the PM peak hour. There are limited gaps in the Three Mile Lane traffic flow for motorists turning from First Street. The intersection also doesn’t meet mobility targets based on 2018 traffic conditions.
- **Three Mile Lane & Cumulus Avenue –** The westbound and eastbound approaches are controlled with stop signs. There is no separate left-turn lane on the north leg of Three Mile Lane. Future traffic on Three Mile Lane and Cumulus Avenue is sufficiently high that eastbound and westbound motorists will find insufficient gaps to turn and travel north or south through the intersection.

¹ This work was conducted in accordance with the Methodology Memorandum, December 10, 2018. See Appendix D.

Preferred Facility Design

Figure 12. Preferred Facility Design Concept



- a) Three Mile Lane interchange - reconstructed for full directional access and crossing, with new connector to Stratus Avenue - see Figure 13).
- b) Cirrus Avenue - new roundabout on OR 18, with McMinnville gateway features.
- c) Removal of at-grade street and driveway accesses to OR 18 in the section between Cumulus Avenue and the eastern edge of the study area, including Loop Road and Cruickshank Road (Cruickshank Road is not shown in Figure 8, as Cruickshank Road is external to the Three Mile Lane Study area).
- d) New east-west frontage streets north and south of OR 18, linking Cirrus Avenue, Cumulus Avenue and Norton Lane. These and other local street connectors are depicted in Figure 11.
- e) New traffic signal (or roundabout) at Three-Mile Lane and Cumulus Avenue.
- f) Loop Road - disconnect from OR 18 and realign to new Cirrus Avenue connector and roundabout.

Figure 13 illustrates the reconstructed interchange of OR 18 at Three Mile Lane. The interchange modifications allow full vehicular movement to and from the highway in all directions, and a bi-directional connection between the southern half of the Study Area and McMinnville's city center via Stratus Avenue. These new connections will likely carry significant local traffic demand that would otherwise travel on OR 18 between the study area and McMinnville's city center. The Stratus Avenue connection also provides direct connectivity for pedestrian and cyclists traveling between the southern half of the Study Area and McMinnville's city center. Separated, two-way cycle tracks on both Cumulus Avenue and Stratus Avenue will improve rider comfort and significantly reduce level of traffic stress on these routes.

Figure 13. OR 18 / Three Mile Lane Interchange Preferred Facility Design



This plan includes interchange layout and traffic control concepts that will require further study and engineering analysis, including:

- A. Re-align Cumulus Avenue (and Nehemiah Lane) intersection approximately 200 feet north with Three Mile Lane to provide additional spacing from future OR 18 interchange ramps.
- B. New traffic control (signal or roundabout) if supported by MUTCD signal warrant analysis.
- C. Spacing sufficiency on Three Mile Lane between the new traffic signal and OR 18 westbound off-ramp.
- D. Re-alignment of Lawson Lane and its new connection to Martin Lane.
- E. The Urban Growth Boundary (UGB) is approximately coterminous with Stratus Avenue. The Stratus Avenue extension to the new interchange (and Lawson Lane re-alignment) will likely not require a UGB amendment (see ORS 215.283).

Figure 16. Major Collector Street Cross Section

Major Collector

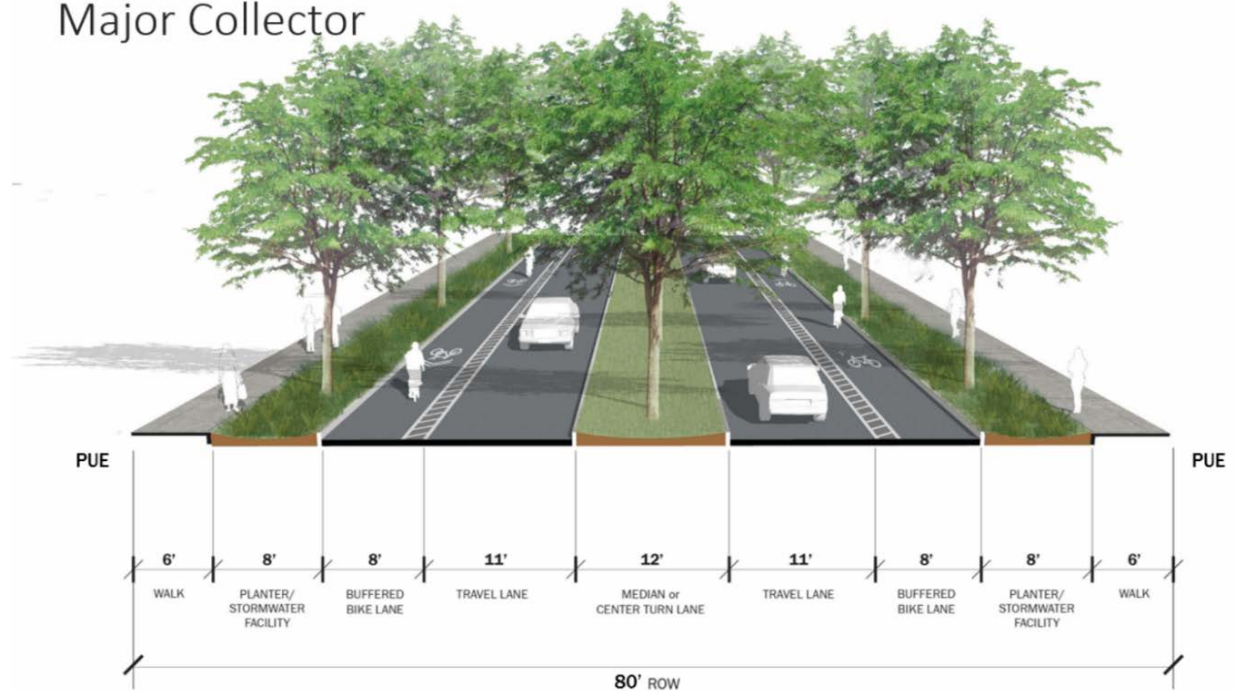
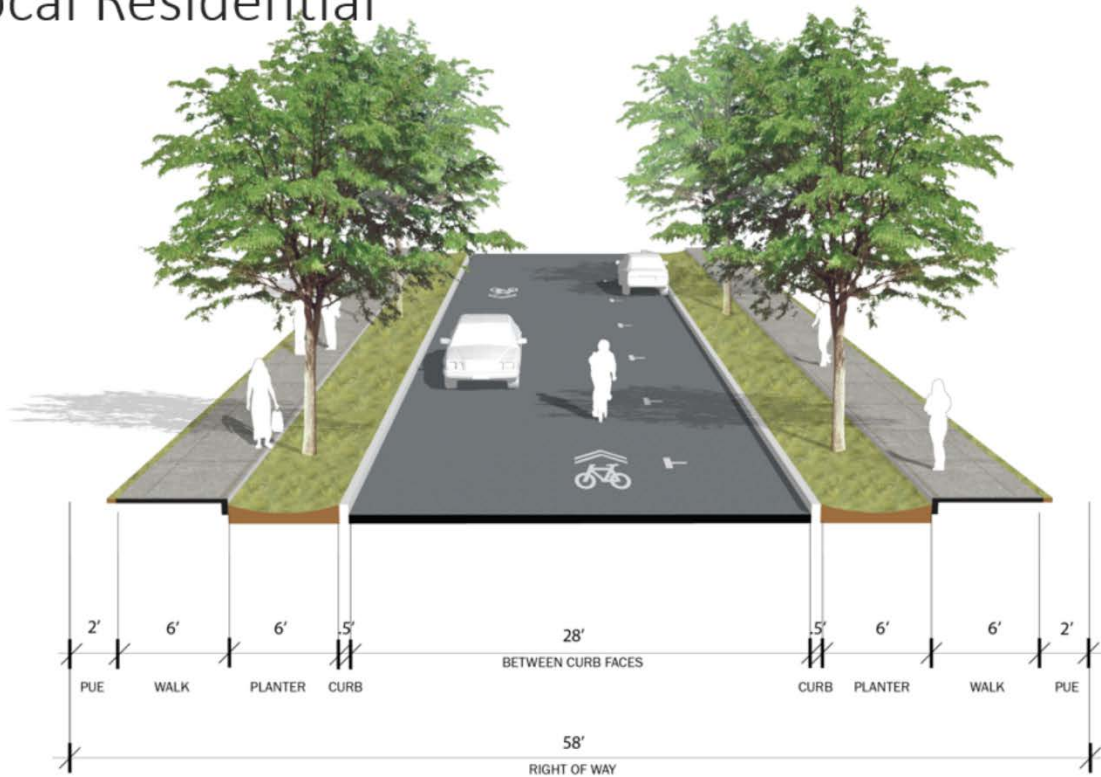


Figure 17. Local Residential Street Cross Section

Local Residential



Pedestrian Facilities

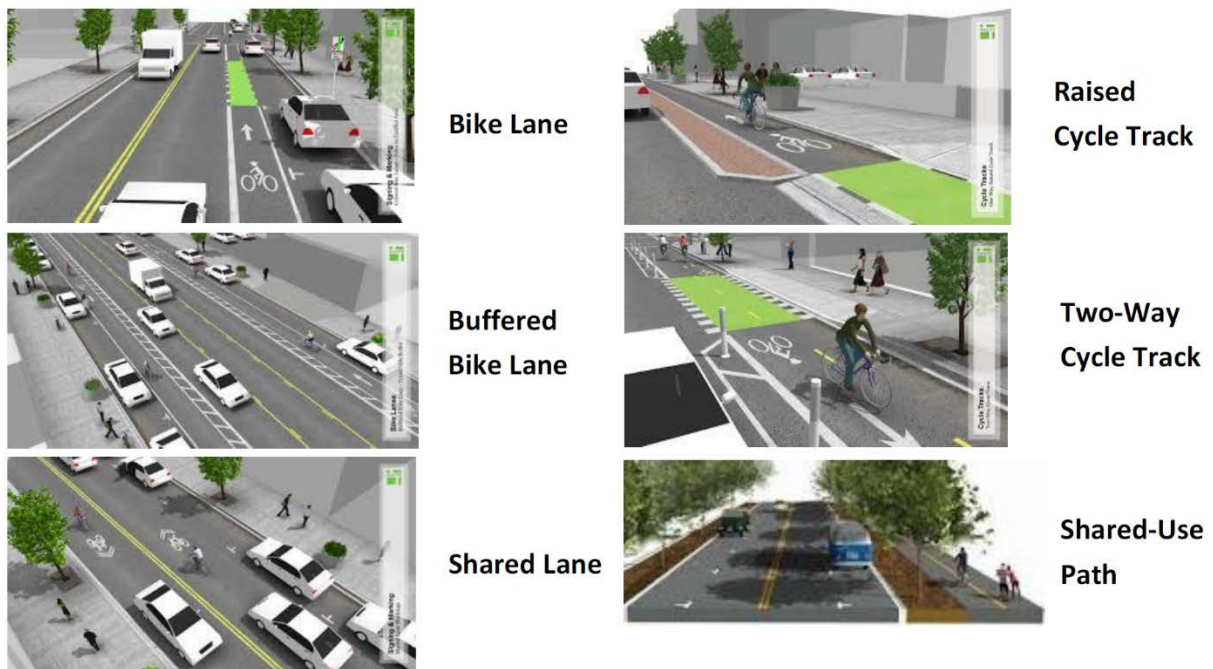
The combination of pedestrian facility improvements along existing and planned collector streets, and planned pathway improvements in the study area will significantly improve overall pedestrian access, mobility, and comfort for all users. A detailed evaluation of pedestrian facilities in the plan is included in Appendix D.

Bicycle Facilities

The Preferred Alternative includes recommended bicycle system improvements on existing streets and new connectors to help form a more complete bicycle network within the 3MLAP study area. Bicycle facilities provide improved mobility for users riding to the city center and seeking active transportation options that support a healthy lifestyle. Bicycle facilities considered in the study include bike lanes, buffered bike lanes, bike boulevards (shared lane), cycle tracks and shared-use paths as summarized in Figure 18.

The combination of bicycle facility improvements along existing and planned collector streets, and planned pathway improvements in the study area will significantly improve bicycle access, mobility and comfort for users of all ages and confidence levels. A detailed evaluation of bicycle facilities is included in Appendix D.

Figure 18. *Types of Bicycle Facilities*



Source: NACTO

Transit Connections

The extension of frontage roads east along the north and south sides of OR 18 identified in the Area Plan (see Figure 12) will provide opportunity for YCTA to extend Route 2 service within the study area.

Figure 19. YCTA Route 2 in the Three Mile Lane Area



Policies

The following policies are intended to guide development and future planning decisions in the Three Mile Lane area. These policies implement the Three Mile Lane Area Plan goals and describe how Great Neighborhood Principals are expected to be expressed in the future growth and development of the Three Mile Lane Area.

1. *Require future development to be consistent with the design elements of the Three Mile Lane Area Plan.*
2. *Public improvements and private development shall strive to protect tree groves and mature individual trees.*
3. *Riparian corridors and adjacent native landscape shall be protected.*
4. *The built environment will be designed to provide and protect views to rolling hills and volcanoes and to enhance visual and physical access to the North Yamhill River. New streets and open spaces will be oriented to capture views.*
5. *Enhancing connections to existing trails and open space, such as connections into Joe Dancer Park and McBee Park, and creating a public greenway along South Yamhill River with trails and connections to the Three Mile Lane Area is a priority.*
6. *New gathering spaces will be designed to incorporate natural areas and views.*
7. *Require native landscape plantings with seasonal variation and tree plantings that include shade streets with mature tree canopy.*
8. *A network of sidewalks and trails will connect people to key locations within the Three Mile Lane Area.*
9. *The Three Mile Lane Area will have safe bicycle routes for residents and touring cyclists.*

10. *Proposed new streets will connect to the existing local street grid, consistent with the conceptual designs in the Three Mile Lane Area Plan and in compliance with Transportation System Plan standards.*
11. *New commercial developments should be designed to be at a walkable, human scale and for ease of use by all ages and abilities.*
12. *New commercial, office, mixed-use, and multi-family developments should be designed to reflect the micro-climate and enhance outdoor life through the incorporation of features such as porches, balconies, courtyards, plazas, etc.*
13. *New commercial, office, mixed-use, and industrial campus developments should promote inclusion and interaction within the right-of-way.*
14. *Encourage mixed-use development where feasible.*
15. *Proposed site landscape for new development should strive to reflect patterns of wine industry—eg, rows of vines, southern orientation, shelter belts of trees – and consider functional site planning of vineyard and farm complexes as conceptual models.*
16. *New development should consider adjacency to agricultural fields and respect this heritage through careful transitions.*
17. *Architectural building design that includes simple roof forms (industrial and agricultural) is encouraged in the Three Mile Lane Area.*
18. *Encourage a diversity of future housing forms, types, and design that respect the current character of the area .*
19. *Ensure that new commercial and industrial campus development creates a welcoming and visible interface with Three Mile Lane.*
20. *Encourage site design and architecture that visibly convey the historic or current industry on the site (e.g., aviation, wine-making).*
21. *New commercial, mixed-use, office, and industrial campus development should consider using local materials for cladding and building structure (timber, corrugated steel cladding, red brick), and incorporating vibrant color.*

IMPLEMENTATION PLAN

Overview

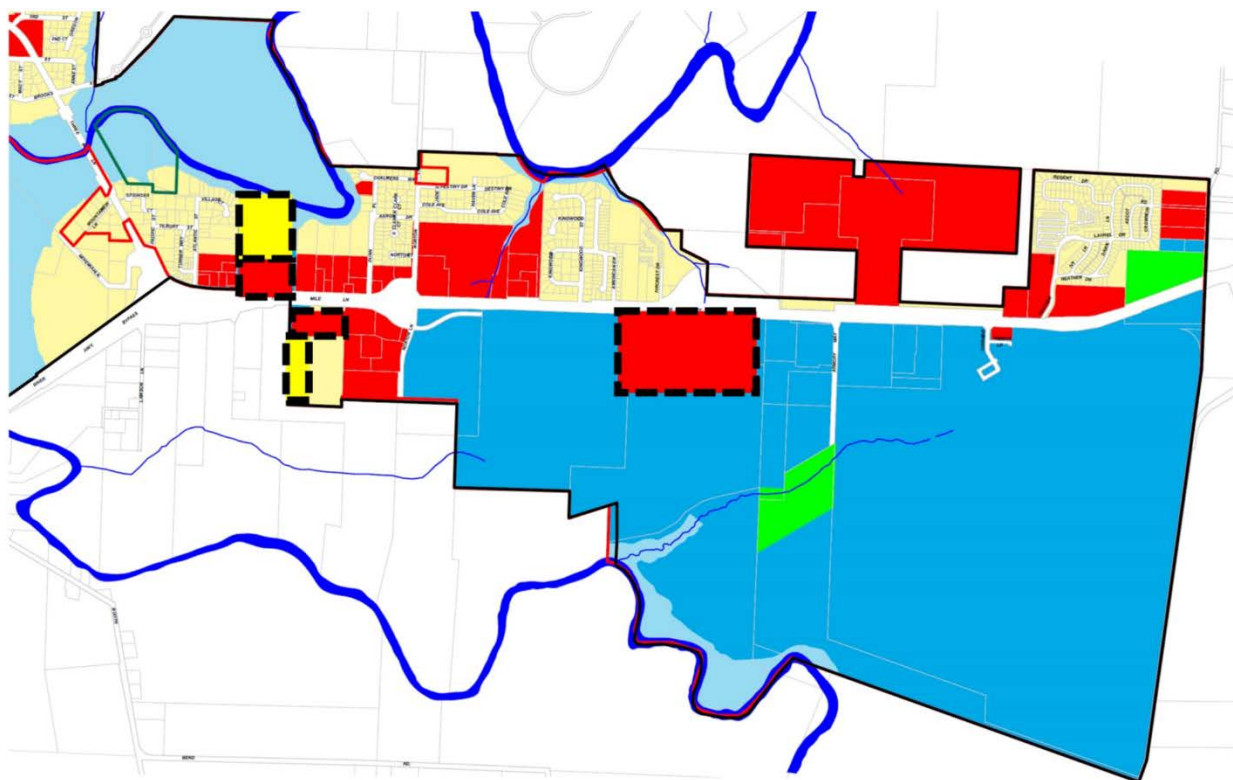
Through the development and implementation of the Three Mile Lane Area Plan, McMinnville has the opportunity to establish land use and transportation policy for the area and set standards and guidelines that will help the community realize the vision for this area. The Area Plan will be adopted as an element of the City's Comprehensive Plan to guide future land use, transportation improvements, and development decisions. This plan will be implemented through the City's Master Plans, Zoning Ordinance, Municipal Code, and the Three Mile Lane Planned Development Overlay. This section details the recommended modifications to the City's Comprehensive Plan and the Planned Development Overlay Ordinance.

Comprehensive Plan Amendments

Comprehensive Plan Map

In addition to the Three Mile Lane Area Plan being adopted as an element of the Comprehensive Plan, a map amendment will be a necessary implementation action. As described in the previous section, the Area Plan envisions land uses that are different than what is currently planned for on the City's Comprehensive Plan map. To allow for the area to develop consistent with the vision for the Three Mile Lane Area, the City will need to change the Comprehensive Plan Land Use Map in the areas indicated by the dashed black line in Figure 20.

Figure 20. Comprehensive Plan Map Amendments



The predominant change is from an Industrial designation to a Commercial designation for approximately 40 – 60 acres south of OR 18. The other change south of the highway, west of Norton Lane, is from Industrial to Commercial and Residential. The Industrial Comprehensive Plan amendment on the northern side shown in Figure 20, entails proposed Commercial and Residential Comprehensive Plan redesignations

Policies

Policies in the Three Mile Lane Area Plan are intended to supplement policies in the City's existing Comprehensive Plan and support implementation of the Area Plan. The policies were developed to implement the Three Mile Lane Area Plan goals and describe how Great Neighborhood Principals are expected to be expressed in the future growth and development of the Three Mile Lane Area.

Transportation System Plan

To support the changes represented in the preferred land use option and the facility design for OR 18 there will need to be key improvements to the transportation system. The City of McMinnville's 2010 Transportation System Plan will need to be updated to capture these improvements. Complete Street design will require changes to City street standards in the TSP as well as the Zoning Ordinance. Modifications are noted in Table 1 and include an increase in sidewalk widths and planter strip widths along residential streets. To enhance cyclists' comfort, the revised standards require buffered bike lanes (or cycle tracks) on collector streets and sharrow markings for shared lanes on local residential streets.

Table 1: Complete Street Standards

	Major Collector Existing Standards	Notes	Local Residential Existing Standards	Notes
Right-of-Way	74'	Increase to 80'	50'	Increase to 58'
Speed	25-30 mph		15-25 mph	
Maximum Average Daily Traffic (ADT)	16,000		1,200	
Adjacent Land Use Intensity	Medium		Low	
Sidewalks	5' residential 10-12' commercial	6'	5'	Increase to 6'
Planter Strips	6' residential N/A commercial	8'	5'	Increase to 6'
Curb-to-Curb Street Width	44'	Suggest 50'	28'	
On-Street Parking Two Sides	N/A		yes	Switch to one side parking if travelway too narrow... see below
Bike Facility	2 lanes (5')	Change to 8' buffered bike lanes (or cycle tracks)	Shared Lane	OK, with sharrow markings
Median / Center Turn Lane	12'		None	
Travel Lane Width	2 lanes (11')		See street width	

Project phasing, costs, and design standards related to implementing the preferred OR 18 improvements will also need to be reflected in the updated TSP, consistent with what is shown in Table 2.

Table 2: OR 18 Improvements – Planning-Level Cost Estimates and Phasing

Phase	Description	Notes	Low Cost 2021 (millions)	High Cost 2021 (millions)
1. Independent State and/or City Projects				
	New Multi-Lane Roundabout at OR 18 and Cirrus Avenue		\$8.0	\$10.0
	Construct Bicycle Lanes and Sidewalks on NE Cumulus Avenue from Cumulus Avenue to Evergreen Air and Space Museum Entrance		\$0.4	\$0.6
	Extend Cumulus Avenue East from Norton Lane and Modify Intersection Traffic Control at Existing Norton Lane/Cumulus Avenue Intersection	[1]	To be determined	
2. City/State Projects Reliant on Completion of New OR 18 / Cirrus Roundabout				
	Disconnect Loop Road from OR 18 and Re-align to Cirrus Avenue		\$2.5	\$3.0
	New OR 18 Frontage Roads Between Cumulus Avenue and Cirrus Avenue (both north and south of OR 18)	[2]	To be determined	
3. City/State Projects Commensurate with/Reliant on New Extension of Cumulus Avenue South of OR 18				
	Construct Cumulus Avenue south of OR 18	[2]	To be determined	
	Revise Traffic Signal at OR 18/Cumulus Avenue Intersection		\$1.1	\$1.2
	Construct Bicycle Lanes and Sidewalks on Cumulus Avenue from OR 18 to NE Cumulus Avenue		\$0.5	\$0.7
4. State and City Projects Commensurate with or Reliant on New OR 18/Three Mile Lane Interchange				
	Reconstruct OR 18/Three Mile Lane Interchange	[3]	\$60.0	\$90.0
	Re-Fit Cumulus Avenue (north side) with 2-Way Cycle Track, Buffer Strip and Wider Sidewalk: Three Mile Lane to Norton Lane		\$3.1	\$3.4
	Re-Fit Stratus Avenue (south side) with 2-Way Cycle Track, Buffer Strip and Wider Sidewalk: Martin Lane to Norton Lane		\$1.6	\$1.8
	Re-align Cumulus Avenue and Nehemiah Lane at Three Mile Lane		\$2.4	\$2.6
	New Traffic Signal on Three-Mile Lane at Cumulus Avenue		\$0.5	\$0.6
	Re-align Lawson Lane		\$1.5	\$1.7
Total			\$81.6	\$115.6

Notes:

- [1] Subject to coordination and approval between City of McMinnville and Chemeketa Community College.
- [2] Subject to private development access needs.
- [3] Including general cost items of demolition, pavement, curb, sidewalk, signing and striping, drainage and landscaping, and new traffic signal or roundabout at junction of OR 18 eastbound ramps and Stratus Avenue.

These cost estimates are for planning purposes only and are subject to refinement during concept development and preliminary engineering. Neither ODOT, City of McMinnville or private development roles and responsibilities in funding these projects have been identified.

The cost estimates for the recommended projects in Table 2 are for planning purposes only and are subject to refinement during concept development and preliminary engineering. Identifying ODOT, City of McMinnville or private development roles and responsibilities in funding these projects have not been identified. Redesigning and retrofitting streets, highways and land use with new, multimodal transportation infrastructure sometimes requires taking exception to design standards so that new projects fit within existing rights-of-way, natural and built environmental constraints. As the concepts identified in the Plan are taken forward into preliminary engineering and final design, there will likely be the need to examine exceptions to roadway and junction design standards. Table 3 summarizes those projects identified in the Area Plan that may require design exceptions.

Table 3: OR 18 Improvements – Design Phase Issues

Recommended Plan Project	Constraints	Design Standard Issues or Possible Exceptions
Reconstruct OR 18/ Three Mile Lane Interchange	Proximity of Yamhill River Bridge, Cumulus Avenue/Nehemiah Lane intersection, OR 18 eastbound off-ramp junction, and UGB boundary (current alignment of Stratus Avenue)	Junction spacing and traffic control at: <ul style="list-style-type: none"> • Three Mile Lane • OR 18 Westbound Off-Ramp at Three Mile Lane • OR 18 Eastbound Off-ramp at Three Mile Lane/ Stratus Avenue
New Roundabout at OR 18 and Cirrus Avenue	Standard two-lane roundabout likely requires additional rights-of-way. OR 18 posted and design speeds entering McMinnville UGB.	Roundabout geometric design treatments to: <ul style="list-style-type: none"> • Reduce approaching vehicle speeds and accommodate multi-axle trucks on OR 18 • Accommodate bicycle and pedestrian traffic
Re-purposing Cumulus and Stratus Avenues with two-way cycle tracks	Limited street rights-of-way and need to accommodate future bus stops amenities.	Two-way cycle tracks are not currently incorporated in the City's design standards. Reference ODOT Blueprint for Urban Design, AASHTO and NACTO for design guidance.

The designation of OR 18 as a freight route on the State Highway Freight System also has implications for roadway design and mobility standards. Oregon statute states that the Oregon Transportation Commission may not permanently reduce the “vehicle-carrying capacity” of an identified freight route unless safety or access considerations require the reduction, or a local government requests an exemption and the Commission determines it is in the best interest of the state and freight movement is not unreasonably impeded.² The design of proposed improvements on OR 18 will need to be closely coordinated with ODOT, including the Mobility Services Team

² Oregon Revised Statute 366.215, https://www.oregonlegislature.gov/bills_laws/ors/ors366.html . In the context of this statute, “vehicle-carrying capacity” refers to the vertical and horizontal clearance of a highway section that can physically carry motor vehicles.

whose responsibility is to invite statewide transportation stakeholders to participate in required Stakeholder Forums considering improvements that may impact vehicle-carrying capacity on a freight route.³

Zoning Ordinance Amendments

This planning effort included a land use evaluation (see Appendix D) which considered the adequacy of existing policies and development regulations in implementing the Preferred Alternative. Specifically, the analysis considered the design features desired for future development in the Three Mile Lane Area and determined whether existing zoning and development ordinances would enable or require these features. The results of this analysis and recommended modifications to development requirements are summarized below. Model text amendments to update City ordinances are found in Appendix E.

Regulatory Framework

Land use and development in the Three Mile Lane area is regulated by the City's Zoning Ordinance and the Three Mile Lane Planned Development Overlay. The Zoning Ordinance governs uses, density, and dimensional requirements for zoning districts in the area, as well as site design and permitting requirements. The Planned Development Overlay contains requirements specific to the Three Mile Lane area that either modify or add to underlying zoning standards.

No changes to existing zoning designations are proposed with the Area Plan. Changes to the underlying Comprehensive Plan are recommended (see Figure 20), and will allow for property owners to initiate rezoning in these key areas over time. Also, no changes related to the type of development subject to a land use review process within the Three Mile Lane area are proposed. The following requirements will continue to apply:

- **Development Approval.** The review and approval process for land use applications is through Three Mile Lane Design Review, Director's Review with Notification.
- **Zone changes.** Zone changes within the Three Mile Lane Planned Development Overlay area are evaluated using Planned Development Overlay standards and procedures and approved by Planning Commission.
- **Industrial Campus/M-L Zoning.** Proposed Industrial uses in the M-L zone must be approved by the Planning Commission, after evaluating impacts such as noise, traffic generation, air and water pollution, and appearance.
- **Commercial Zoning.** New commercial structures larger than 25,000 square feet of gross floor area require Director approval through Large Format Commercial Design Review.
- **Signage.** Signage in areas designated commercial and industrial require approval by the Three Mile Lane Design Review Committee, after evaluating compatibility and design elements such as color, material, size, form, and relationship to site and building design.

³ For more information about the process and ORS 366.215 requirements see https://www.oregon.gov/ODOT/Planning/Documents/ORS_366.215_Implementation_Guidance.pdf .

Future development proposals can address the special urban design elements described in this Area Plan - specifically in the mixed-use, and retail center, and innovation campus areas - through the planned development approval process (Chapter 17.51 Planned Development Overlay).⁴

Table 4 lists recommended changes to development requirements that will strengthen the City's current Zoning Ordinance provisions and that, when implemented, will better reflect the future development outcomes envisioned for the Three Mile Lane Area. The table lists the policies describing desired features and outcomes and where modifications to existing requirements or specific actions are needed. Some proposed recommendation items from the earlier analysis have not had a robust community conversation or require additional study or analysis. These items are noted as recommended future action items for the City to consider.

Within the recommendations in the Overlay Amendment column in Table 4 there is a further distinction between requirements that should be applicable to all development in the Three Mile Lane Area and requirements that are more appropriate for larger, planned developments.

⁴ Today, development proposals within the Three Mile Lane Planned Development Overlay do not have to go through a planned development process and the City cannot require a master plan. Master plans are defined in the Zoning Ordinance as the "maps, illustrations and supported text associated with a planned development which conveys the approved uses for the site along with any associated conditions, phasing schedules and other agreements."

Table 4: Implementation Recommendations

Policy	Overlay Amendment	Recommended Future Action
<p>1. Require future development to be consistent with the design elements of the Three Mile Lane Area Plan.</p>	<p>Include specific development standards (see amendments in this table) in the Three Mile Lane Planned Development Overlay to implement the Three Mile Lane Area Plan. Note that the review and approval process for land use applications is through Three Mile Lane Design Review, Director’s Review with Notification.</p> <p>Require Mixed-use, Commercial, or Industrial development proposals over [10] acres to be subject to Planned Development Overlay (Chapter 17.51) and Planning Commission approval.</p> <p>In the Innovation Campus allow office uses that support products and services that are manufactured or developed on site or that serve as corporate offices for products that are manufactured elsewhere.</p>	
<p>2. Public improvements and private development shall strive to protect tree groves and mature individual trees.</p>		<p>Identify tree groves and tree types to be protected and designate as significant or historic trees.</p>
<p>3. Riparian corridors and adjacent native landscapes shall be protected.</p>	<p>Require mapping and protection of stream corridors and re-vegetation with native plantings.</p>	
<p>4. The built environment will be designed to provide and protect views to rolling hills and volcanoes and to enhance visual and physical access to the North Yamhill River. New streets and open spaces will be oriented to capture views.</p>	<p>Require viewshed analysis as part of Design Review.</p>	
<p>5. Enhancing connections to existing trails and open space, such as connections into Joe Dancer Park and McBee Park, and creating a public greenway along South Yamhill River with trails and connections to the Three Mile Lane Area is a priority.</p>	<p>Require connection to proposed trail, trail right-of-way dedication, and trail construction as part of Design Review/development approval.</p>	
<p>6. New gathering spaces will be designed to incorporate natural areas and views.</p>	<p>When proposed as part of a Planned Development master plan, require gathering spaces be designed to incorporate natural areas and views as a condition of approval.</p>	
<p>7. Require native landscape plantings with seasonal variation and tree plantings that include shade streets with mature tree canopy.</p>	<p>Require native landscaping and plantings of all development through Design Review.</p>	<p>Develop and define approved planting list and approved tree list.</p>

Policy	Overlay Amendment	Recommended Future Action
8. A network of sidewalks and trails will connect people to key locations within the Three Mile Lane Area.	Apply pedestrian walkway and connectivity standards to all non-residential development. Note: Pedestrian walkway standards, currently are applied to Large Format Retail; site design requires connections between buildings and from building entrances to streets (§17.56.050.C.2).	
9. The Three Mile Lane Area will have safe bicycle routes for residents and touring cyclists.	Require transportation improvements consistent with the Area Plan through Design Review.	
10. Proposed new streets will connect to the existing local street grid, consistent with the conceptual designs in the Three Mile Lane Area Plan and in compliance with Transportation System Plan standards.	Require transportation improvements consistent with the Area Plan through Design Review.	
11. New commercial developments should be designed to be at a walkable, human scale and for ease of use by all ages and abilities.	Requirements for commercial building size and massing. Standards for parking maximums for all uses. Parking lot location requirements for commercial uses.	Additional guidelines or standards related to façade treatments. 17.56.050 Development Standards
12. New commercial, office, mixed-use, and multi-family developments should be designed to reflect the micro-climate and enhance outdoor life through the incorporation of features such as porches, balconies, courtyards, plazas, etc.	Require as part of Design Review: <ul style="list-style-type: none"> • Standards for non-residential buildings to include minimum pedestrian shelter coverages along ground floor elevations/street frontages and main entrances. • Residential design features to include clear and objective building design standards/architectural elements. 	Additional guidelines or standards related to façade treatments.
13. New commercial, office, mixed-use, and industrial campus developments should promote inclusion and interaction within the right-of-way.	Require as part of Design Review: <ul style="list-style-type: none"> • New requirements for building orientation (set-to, building orientation); • Additional guidelines or standards related to façade treatments, including transparency. • Provision of on-street parking for ground-floor commercial uses (new requirements allowing on-street spaces to be counted toward parking minimums, new cross-section standards for streets with ground-floor retail). 	
14. Encourage mixed-use development where feasible.		Consider additional guidelines or requirements for the Mixed Use area.

Policy	Overlay Amendment	Recommended Future Action
15. Proposed site landscaping for new development should strive to reflect patterns of wine industry—eg, rows of vines, southern orientation, shelter belts of trees – and consider functional site planning of vineyard and farm complexes as conceptual models.	Require landscaping proposed as part of a Planned Development master plan to demonstrate how it reflects existing patterns.	
16. New development should consider adjacency to agricultural fields and respect this heritage through careful transitions.	Buffer/perimeter requirements for new non-residential development adjacent to a dissimilar use.	Determine if specific buffering requirements are needed for proposed development abutting land zoned exclusive farm use.
17. Architectural building design that includes simple roof forms (industrial and agricultural) is encouraged in the Three Mile Lane Area.		Develop design guidelines or architectural standards.
18. Encourage a diversity of future housing forms, types, and design that respect the current character of the area.	Buffer/perimeter requirements for new non-residential development adjacent to a dissimilar use.	Evaluate Zoning Ordinance to ensure there are clear and objective design standards for new residential development.
19. Ensure that new commercial and industrial campus development creates a welcoming and visible interface with Three Mile Lane.	Requirements for landscape buffering fronting Three Mile Lane. Requirements for non-residential development related to building facades, including addressing blank walls and requiring articulation and materials or color variation.	Develop design guidelines to encourage a more cohesive visual character along the corridor.
20. Encourage site design and architecture that visibly convey the historic or current industry on the site (e.g., aviation, wine-making).		Develop design guidelines or architectural standards.
21. New commercial, mixed-use, office, and industrial campus development should consider using local materials for cladding and building structure (timber, corrugated steel cladding, red brick), and incorporating vibrant color.	Requirements for non-residential development related to building facades, including addressing blank walls and requiring articulation and materials or color variation.	Develop additional design guidelines or standards related to façade treatments; define acceptable color palate.

NEXT STEPS

Incorporate Three Mile Lane Area Plan Findings

Both the City of McMinnville and Oregon Department of Transportation (ODOT) will consider actions to implement key findings of the Three Mile Lane Area Plan as part of their transportation and land use (city) plans as follows:

Joint City/ODOT Project Development

1. **OR 18 / Cirrus Avenue Junction**

Future project development, development driven or otherwise, will likely require the City, State, and developer to coordinate project concept development, investigate rights-of-way requirements, and begin preliminary design of new junction traffic control (roundabout or traffic signal) at the intersection of OR 18 and Cirrus Avenue. Project includes closing Laurel Lane, Loop Road, and the RV sales private driveway and consolidating these accesses to the OR 18/Cirrus Avenue intersection via a new frontage road constructed along the north side of OR 18. Project development will require specific coordination with the State Traffic Engineer and the Mobility Advisory Committee. An intergovernmental agreement and memorandum of agreement may be used to formalize this coordinated effort.

Project Purpose and Need: Resolve highway safety problem at OR 18/Loop Road (see Appendix A) and revise local access to Cirrus Avenue (city/public street) and removal of private driveways in accordance with Oregon Highway Plan Access Management and Spacing standards, adopted as Appendix to the McMinnville Transportation Systems Plan (2010).

City of McMinnville

1. Update the Comprehensive Plan Land Use Map to reflect proposed land uses in the Three Mile Lane Area Plan.
2. Adopt an Ordinance amending Ordinance 4131 (Three Mile Lane Planned Development Overlay) and Ordinance 5472 (Three Mile Lane Amendment) by adding new sections that reflect the implementation recommendations of the Three Mile Lane Area Plan.
3. Update the 2010 Transportation System Plan to adopt city and state highway improvements projects identified in the Area Plan.
4. Revise and update the Transportation Systems Development Charge to incorporate transportation capacity improvements that serve new development needs as identified in the Area Plan.
5. Review and administer site plan proposals, zone change and/or comprehensive plan change applications within the Area Plan area seeking landowner and/or developer cooperation in reserving rights-of-way for the OR 18 / Cumulus Avenue interchange. *Note that this is not an identified capacity improvement requirement within the current (2021-2041) 20-year planning horizon.*
6. Amend the UGB agreement with Yamhill County.

7. Consider needed refinements to other City Capital Improvement Plans and amend and adopt City Master Plan updates as needed to support future growth in the Three Mile Lane Area.

ODOT

1. Consider the adoption of the 3MLAP as a Facility Plan.
2. Coordinate with the City of McMinnville to identify funding (City, State, and developer), and carry out design and re-construction of the OR 18/Three Mile Lane interchange as identified in the 3MLAP.

Planning Guidance - Post 20-Year Planning Horizon

The City of McMinnville and ODOT will continue to coordinate and monitor land development proposals in the 3MLAP area and evaluate OR 18 traffic trends to determine when the full interchange, as identified in the 1997 OR 18 Corridor Refinement Plan and McMinnville's current TSP, or additional interim traffic capacity improvements are needed at the junction of OR 18 and Cumulus Avenue.

The 1997 OR 18 Corridor Refinement Plan indicates closure of the Norton Lane crossing of OR 18 with no additional OR 18 crossings. Minimum pedestrian highway crossing spacing guidelines outlined in Oregon's Blueprint for Urban Design will be administered as part of any future OR 18/Cumulus Avenue interchange project development.

OR-18/Cumulus Avenue – Potential Interim Capacity Improvements

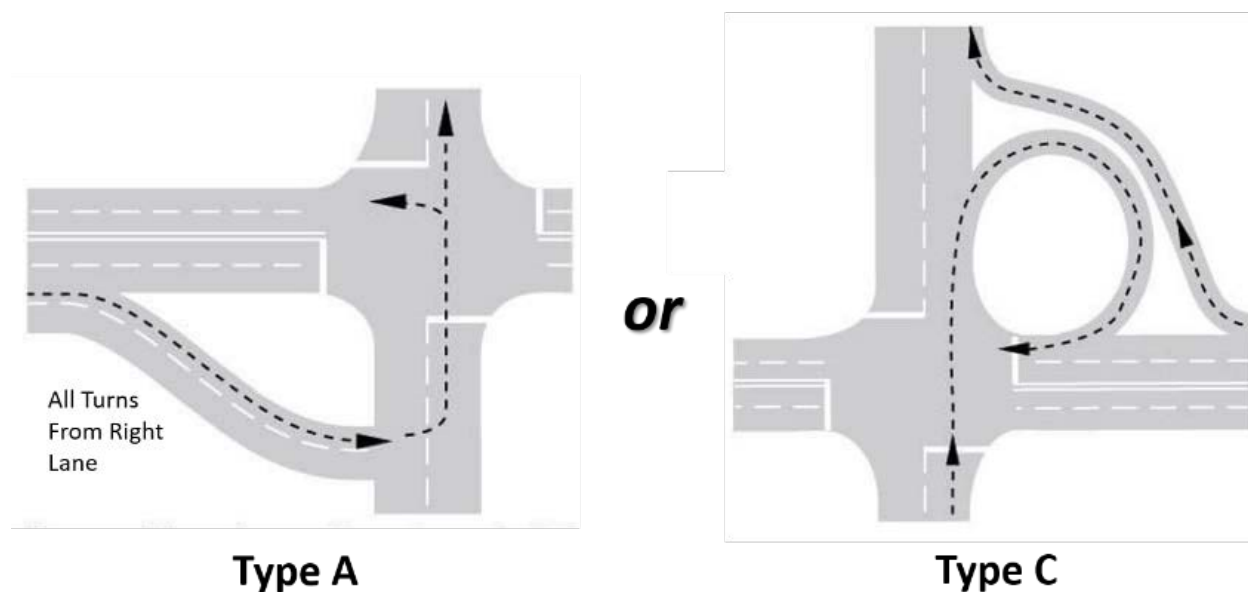
In the drafting of facility design options, the 3MLAP identified a potential need for interim capacity improvements in the form of "jug handles" at the intersection of OR 18 at Cumulus Avenue. The analysis of future traffic operations later indicated that the existing traffic signal at OR 18/Cumulus Avenue will accommodate year 2041 traffic demand without need for additional, vehicle capacity-increasing capital improvements. "Jug Handles" should be considered as a future phase improvement if warranted by mobility standards.

At such a time when the traffic signal can no longer accommodate future traffic and operate within the mobility targets of the OHP, ODOT and the City will require further assessment of potential intersection capacity improvements.

An intersection control evaluation will be needed to determine the final configuration of this intersection, should the existing configuration, jug-handle, or a roundabout improvement be best suited. Final design to be determined through a refinement or project development effort should assess the above-noted considerations.

Any reconfiguration of the intersection traffic control design will need to consider existing traffic patterns and user compliance, as well as the feasibility to operate safely and efficiently with the recommended frontage roads identified in the 3MLAP. Figure 1. Sample Jug Handle Concept Options

Figure 21. Jug Handle Concepts



Source: New Jersey Department of Transportation

Future Bicycle/Pedestrian Overpass Consideration

OR-18/Norton Avenue – Potential Bicycle / Pedestrian Overpass

In the adoption process of the 3MLAP, the City identified a future potential need for a bicycle/pedestrian overpass at OR 18/Norton Avenue to facilitate a separated bicycle and pedestrian crossing opportunity. This was not calculated as a need by the 3MLAP transportation analysis.

The City should continue to evaluate the bicycle and pedestrian movements from north to south at this intersection for mobility and safety, and explore opportunities to fund and implement this improvement proactively if determined to be warranted by the community.



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

www.mcminnvilleoregon.gov

PROPOSED AMENDMENTS TO THE MCMINNVILLE COMPREHENSIVE PLAN,
VOLUME II
CHAPTER VI, TRANSPORTATION SYSTEM

DOCKET G 7-21: THREE MILE LANE AREA PLAN

New proposed language is represented by ***bold italic font***, deleted language is represented by ~~strikethrough~~ font.

SYSTEM PLAN

132.23.00 *The McMinnville Transportation System Plan shall be updated as necessary to remain consistent with: (a) the city's land use plan; (b) regional and statewide plans; and (c) the applicable local, State, and federal law. (Ord. 4922, February 23, 2010)*

[Insert new proposal after policy 132.23.00]

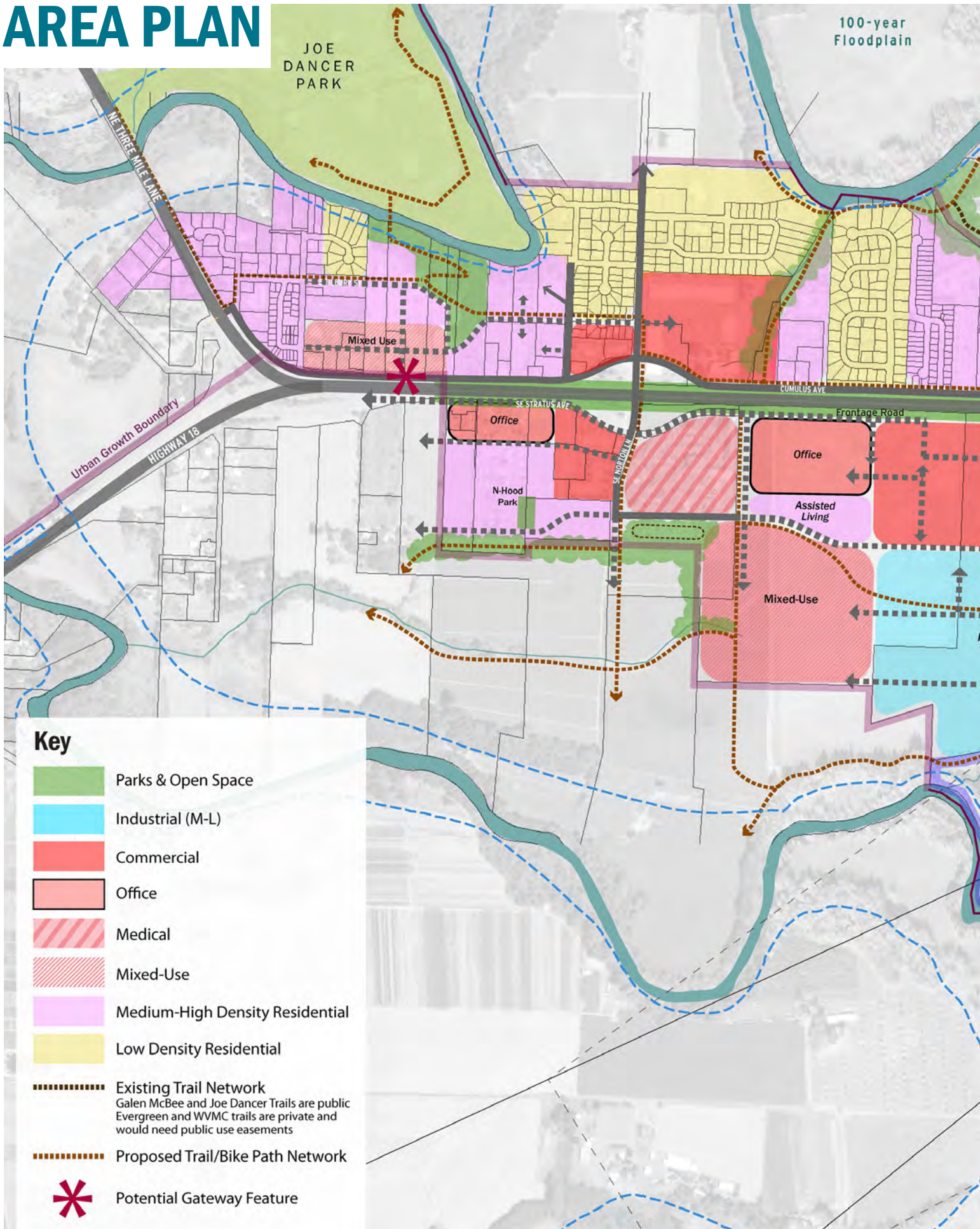
20.05 *The comprehensive plan map amendments and any associated rezones consistent with the 3MLAP could be initiated by the City or property owners through future map amendment applications, at which time any necessary changes to the TSP would need to be made. Until the comprehensive plan map amendments are adopted for individual properties, the properties would continue to be subject to the use provisions of current Comprehensive Plan map and zoning map designations and provisions of any property-specific PD overlay zones. Those properties would still be subject to any new development standards of the new Three Mile Lane Overlay Zone.*



THREE MILE LANE AREA PLAN RECOMMENDED DESIGN

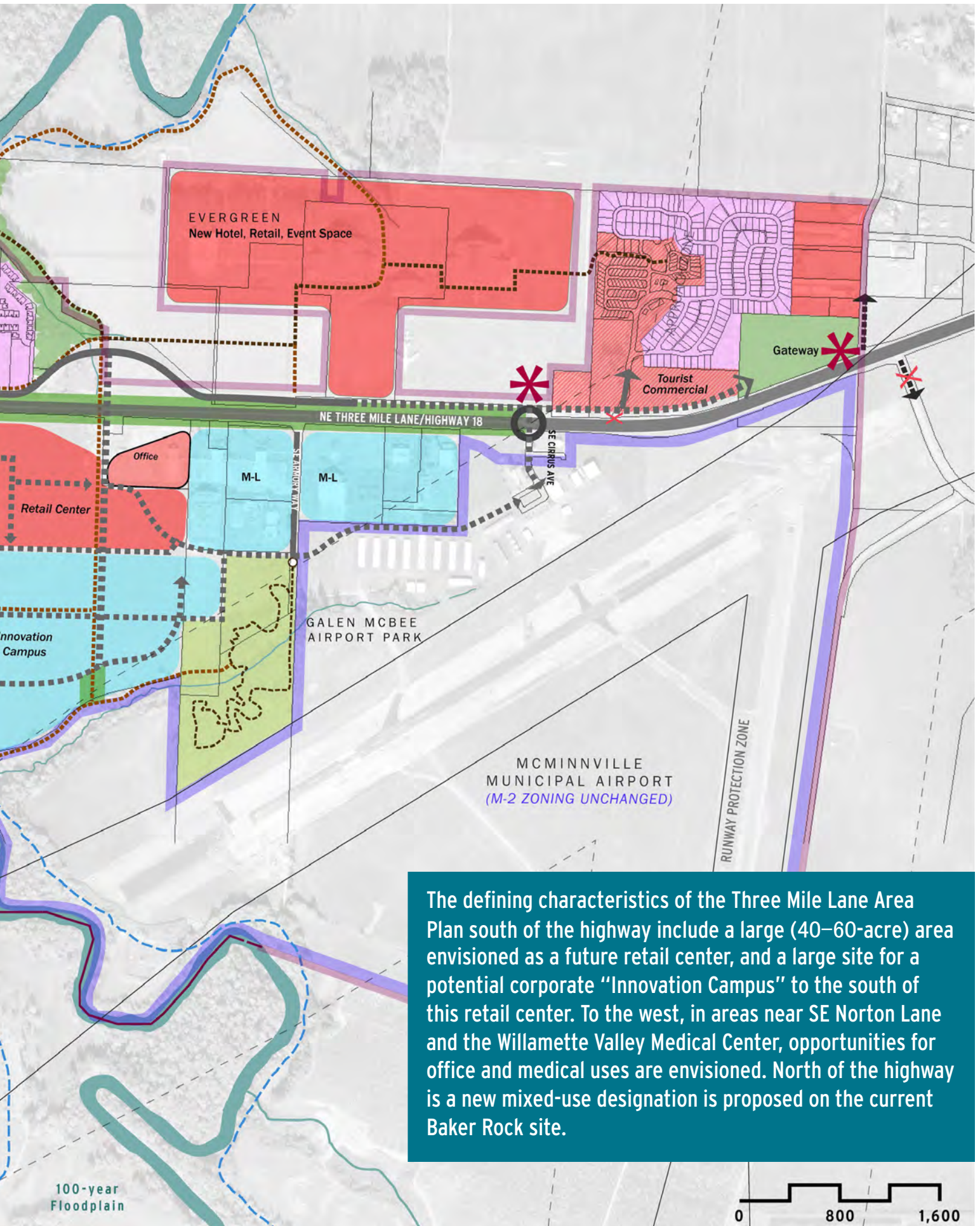
March 2022

AREA PLAN



Key

-  Parks & Open Space
-  Industrial (M-L)
-  Commercial
-  Office
-  Medical
-  Mixed-Use
-  Medium-High Density Residential
-  Low Density Residential
-  Existing Trail Network
Galen McBee and Joe Dancer Trails are public
Evergreen and WVMC trails are private and
would need public use easements
-  Proposed Trail/Bike Path Network
-  Potential Gateway Feature



The defining characteristics of the Three Mile Lane Area Plan south of the highway include a large (40–60-acre) area envisioned as a future retail center, and a large site for a potential corporate “Innovation Campus” to the south of this retail center. To the west, in areas near SE Norton Lane and the Willamette Valley Medical Center, opportunities for office and medical uses are envisioned. North of the highway is a new mixed-use designation is proposed on the current Baker Rock site.

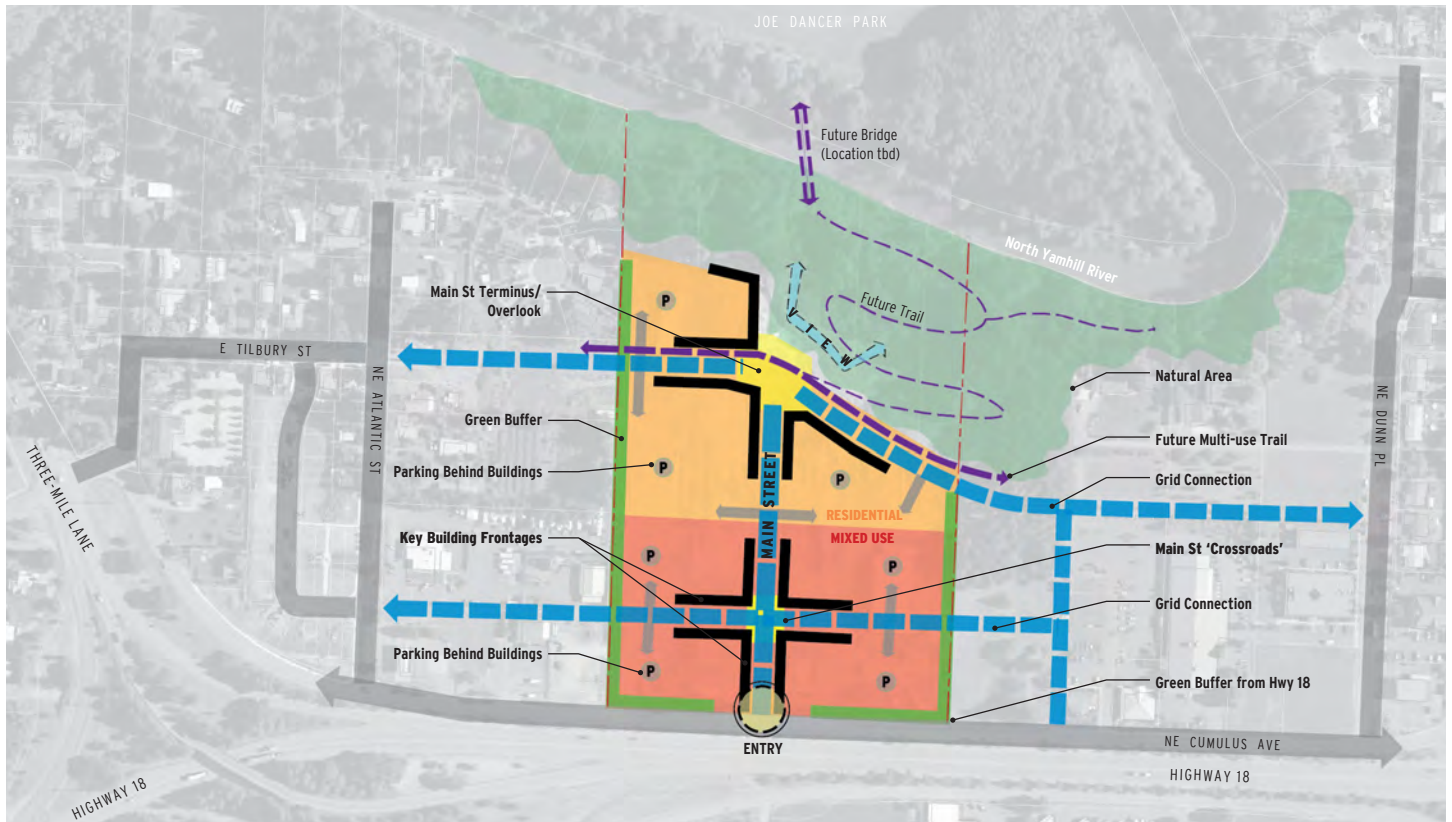
DESIGN FEATURES FOR NEW DEVELOPMENT

The overall goal for new developments in the Three Mile Lane Area is that they echo the features of traditional, older retail districts like downtown McMinnville, with similar common features that include:

- Walkable, narrow main streets connecting through the center, with parallel or angled on-street parking in front of retail storefronts.
- Public gathering spaces, bordered by dining and entertainment attractions, featuring play areas and flexible space for programmed public events.
- Parking lots, generally located behind buildings, featuring wide pedestrian walkways, integrated stormwater treatment and ample landscaping including shade trees.
- High-quality architecture, sometimes themed in a regionally appropriate way, with buildings placed in prominent locations that contribute to the quality of the pedestrian experience, versus behind large surface parking lots.
- Building edges that create 'frontage' on walkable streets or pedestrian walks, with higher-quality materials, generous windows and pedestrian-scale signage in the first 20-30' of elevation.
- Proximity and connection to a mix of other uses, to encourage walking from residential or office areas to the retail center.
- Generous landscape buffers between the retail center and roadways or parking lots while maintaining maximum visibility for retailers.
- A prominent entry to the site, with signage or a gateway feature.



MIXED USE AREA CONCEPTUAL DESIGN

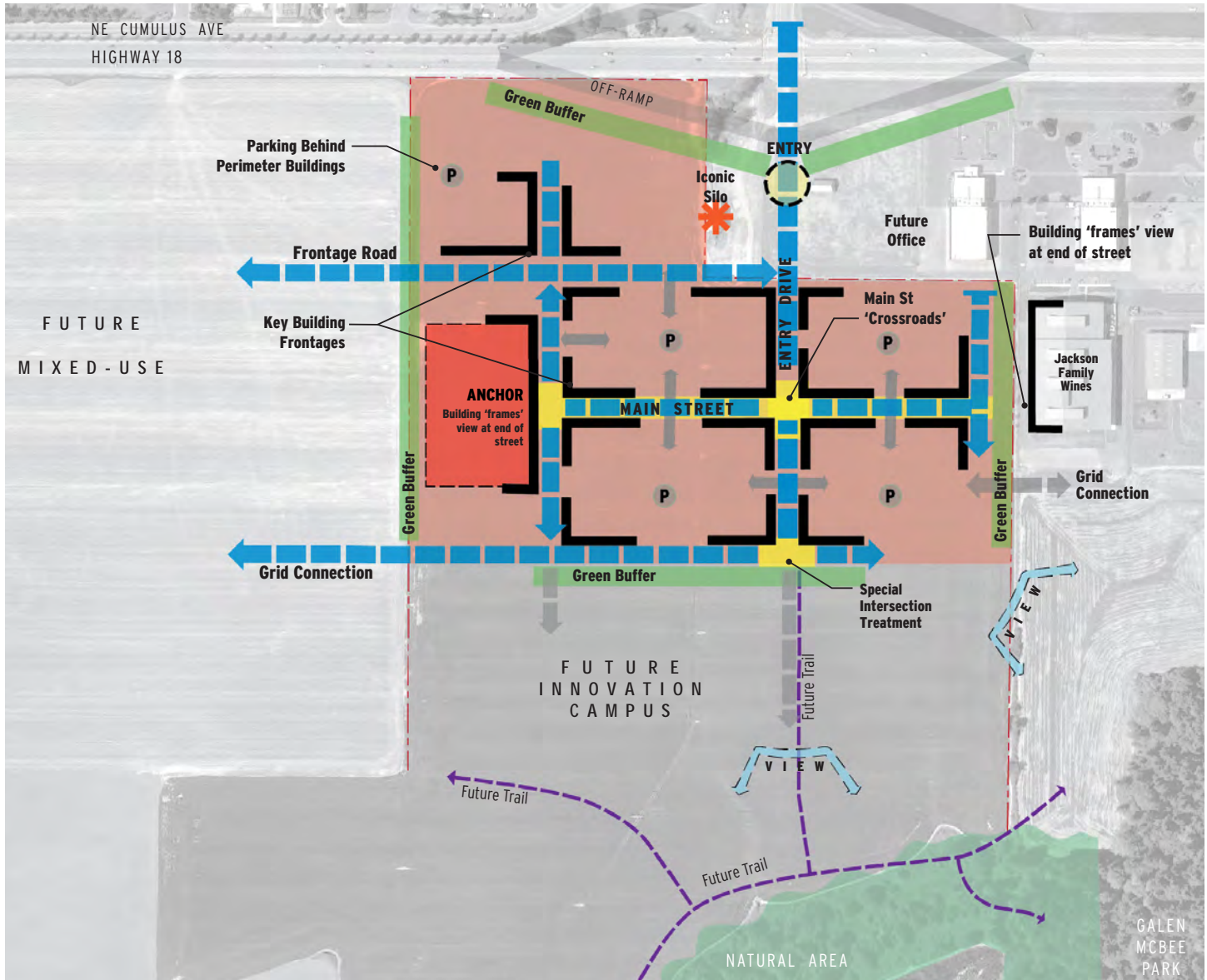


KEY URBAN DESIGN ELEMENTS

- Local streets can be logically extended through the site from the west (NE Atlantic) and the east (NE Dunn Place), creating access to the commercial and residential halves of the site, while a new central 'Main Street' can be extended north from NE Cumulus Avenue, bisecting the site and creating two crossroads intersections.
- Where the Main Street meets the bluff-top street, a public overlook can provide views to Joe Dancer Park and perhaps even a trailhead for a nature trail switch-backing down the bluff to a riverside trail system and a potential footbridge over the river connecting to the park and beyond to downtown.
- The proposed street extending east-west across the northern half of the site follows the top of the bluff and should be designed as a well-landscaped parkway, with an adjacent multi-use trail which will eventually extend throughout the Three Mile Lane study area as a safe parallel route to Hwy 18.
- New buildings should be located to form an urban frontage, with no setbacks, at the intersections of local streets. They should feature pedestrian-scaled ground floors, prominent entries, and canopies over sidewalks with street trees, on-street parking, and safe crossings. Surface parking will be located behind these frontages, separated from adjacent uses by well-landscaped green buffers.



RETAIL CENTER/INNOVATION CAMPUS CONCEPTUAL DESIGN



The retail market continues to evolve rapidly in response to the challenges of competing with online retail and market consolidation. One tactic that the retail industry has successfully used to attract and retain shoppers is the creation of mixed-use “town centers” that offer gathering spaces, walkable streets and more dining options than typical strip suburban developments or enclosed shopping centers. Mixed-use town centers offer a greater diversity of uses that typical retail developments, particularly as it pertains to entertainment and some office uses, with the latter providing critical daytime population for retailers.

A retail center at Cumulus Avenue is a central feature of the Area Plan. The design of this development, the connectivity it provides to the street system south of Highway 18, and how well it contributes to McMinnville’s Great Neighborhood Principles will be key in the success of this plan. This 40–60

acre parcel is one of the largest regional sites with easy highway access. The site is flat and developable—a unique characteristic for a site of this size, and has a locational advantage being both near to the highway and the McMinnville Municipal Airport. The diagram on this page provides an example of how this site could develop, implementing design features desired in the Three Mile Lane Area.

Flexibility is key to attracting a corporate Innovation Campus. The City and/or developer would have to be opportunistic and actively market the property and McMinnville as a corporate destination. Early infrastructure investments and construction of housing and commercial amenities within walking distance of the property would help attract a corporate user, as would a clear but flexible vision and development plan for the property.

KEY URBAN DESIGN ELEMENTS: PRECEDENTS



Old Mill District, Bend

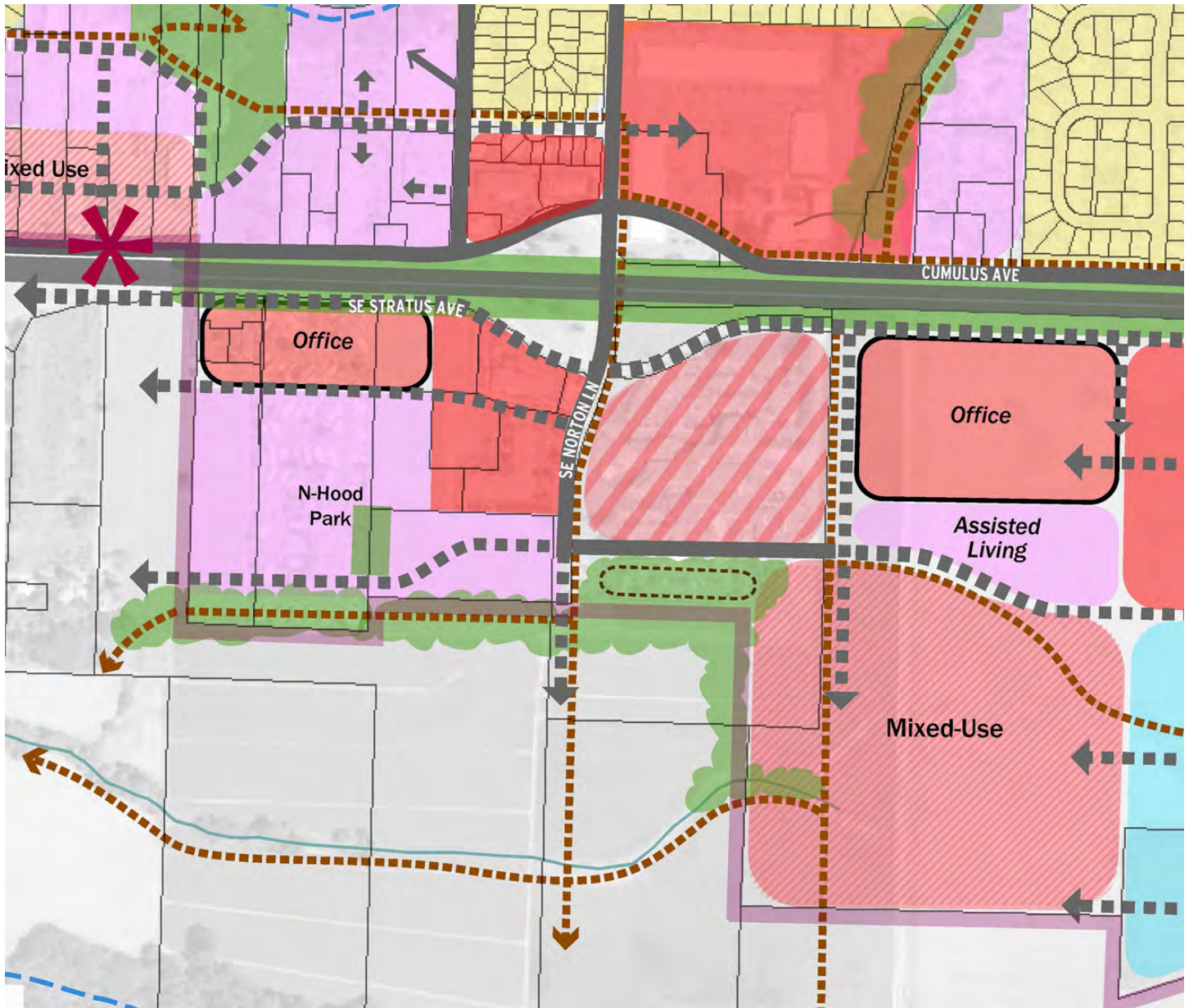
- Landscape Buffer
- Parking behind buildings
- Central 'Main Street':
 - Wide sidewalks
 - Street Trees
 - On-street parking
 - Active ground floors
- Public gateway plaza
- Gathering and event space
- Access and orientation to natural features



NorthWest Crossing, Bend

- Integrated park space
- Central 'Main Street':
 - Wide sidewalks
 - Street Trees
 - On-street parking
 - Active ground floors
 - Mixed-use
 - Two blocks closed for Farmer's Market weekly
- Parking behind buildings
- Neighborhood Collector
- Gateway 'marker'
- Adjacent to 'clean' light industrial/office uses

HEALTH CARE AREA



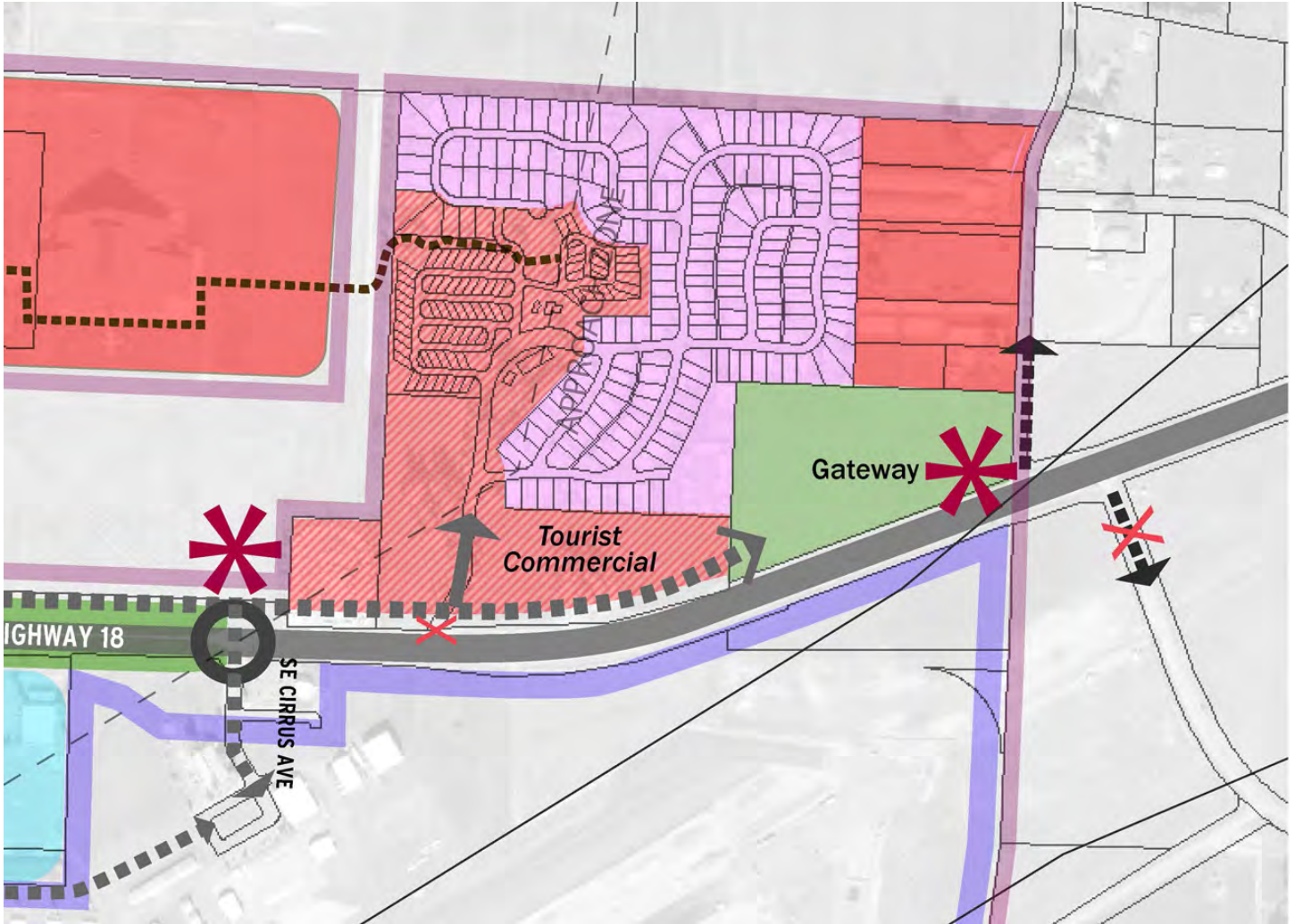
Vacant parcels surrounding the Willamette Valley Medical Center are a significant opportunity for medical offices, housing for people reliant on medical services, and other uses that benefit from a health care cluster. As envisioned in the Area Plan existing industrial and high-density residential land and uses fronting the highway and in close proximity to the Medical Center could, over time, develop with housing - including assisted living and long-term care facilities - office uses, and services related to the hospital.

KEY URBAN DESIGN ELEMENTS

- **Transitions between uses: Health care facilities and surrounding residential areas.** Health care facilities are often active around the clock with bright lighting and they generate significant vehicle traffic. They also require a lot of delivery traffic and, in the case of a major medical center, helicopter use. Buffering between uses should be considered, particularly senior housing or market-rate apartments. Assisted living or nursing care facilities, however, would benefit from close proximity to the hospital.
- **Transitions between uses: Health care facilities and other commercial uses.** The scale and orientation of existing uses, as related to future uses should be considered. For example, while Senior Housing might benefit from a location within walking distance of a retail center, there should be careful site planning to ensure the housing isn't directly adjacent to loading or parking facilities. It may be most feasible to place health-care related housing with an orientation south towards views and the river.
- **Walkability between uses.** Convenient, safe connections between a variety of uses in this area will be important to current and future users.
- **Visual quality of buildings facing Highway 18.** New development should avoid placing loading docks or creating blank walls visible from passing vehicles.



TOURIST COMMERCIAL



The Evergreen complex continues to draw visitors to McMinnville who support other local businesses in the Three Mile Lane area and beyond. The Area Plan foresees the continuation and intensification of tourism-related uses as allowed by existing zoning designations. East of Evergreen, land is currently zoned for commercial uses along the highway and has the possibility of hosting more tourism- and travel-related commercial uses in the vicinity of the Aviation & Space Museum and waterpark. The Area Plan envisions activities and uses related to visitors and the traveling public that could boost tourism and be mutually beneficial to existing attractions. A cluster of these uses in the northeast part of the study area could have a synergistic effect, strengthening McMinnville's and the region's reputation as a destination.

KEY URBAN DESIGN ELEMENTS

- **Connectivity to the Evergreen complex.** An important design element of this visitor-oriented area is connectivity to existing Evergreen tourist uses. Providing a safe walking and biking connection parallel to Highway 18 will help integrate future development with the Evergreen attractions, which will continue to attract significant amounts of visitors.
- **“Gateway” location.** In addition, with a prominent location on the east entrance to McMinnville, this development opportunity area should be required to meet the City’s Great Neighborhood Principles with high-quality design.



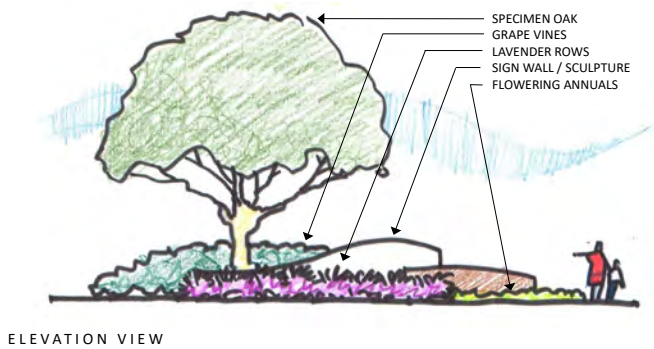
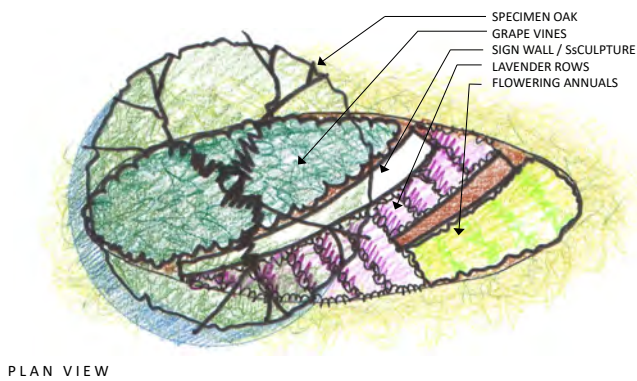
Visitor-oriented facilities with distinctive design elements

GATEWAYS

Three Mile Lane will serve as a figurative gateway to McMinnville, and future design of Highway 18 improvements should consider opportunities for corridor design that respects the area’s agricultural heritage and landscape character (see below). There will also be opportunities for specific gateway features that physically mark this entrance to McMinnville. These images present some design considerations for these features.



Large landscape design gestures, visible from fast-moving vehicles (and the air)



Conceptual Gateway Feature Sketch

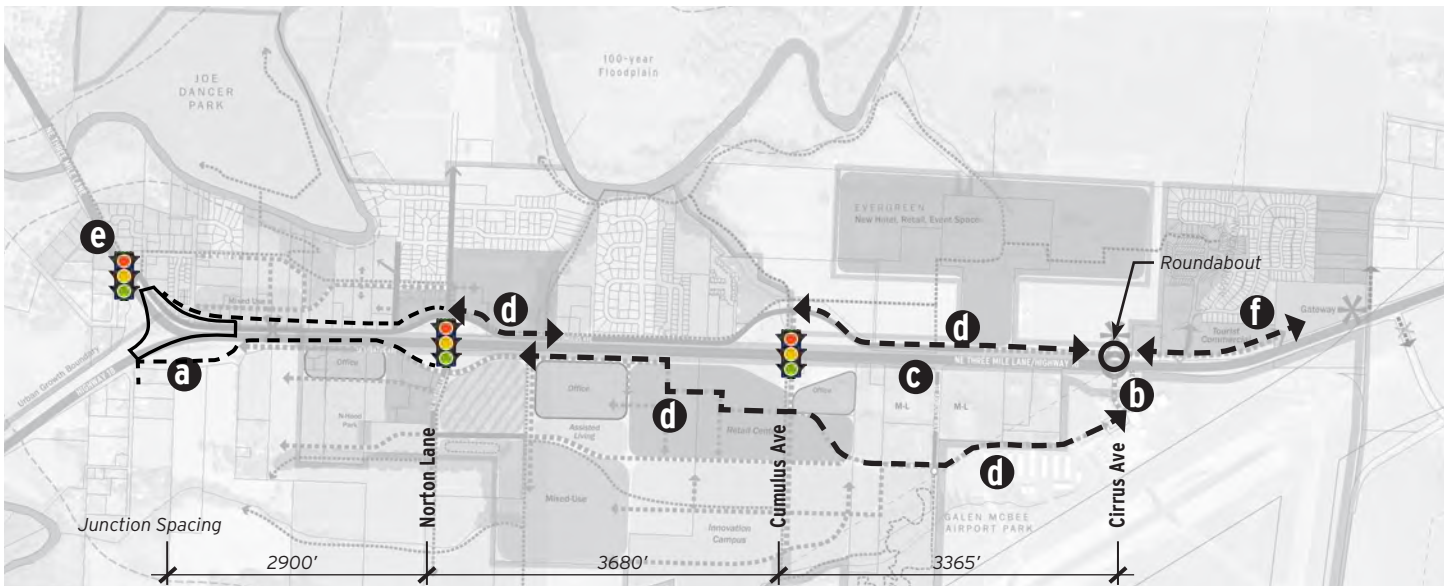


A large-scale public art piece, perhaps dramatically lit at night

TRANSPORTATION

Transportation analysis confirmed that both signalized intersections in the area - Oregon Highway 18 and Norton Lane and Oregon Highway 18 and Cumulus Avenue - will operate at volume-to-capacity ratios below ODOT's established standards under year 2041 Preferred Alternative traffic conditions. However, two of the study area unsignalized intersections fail to meet established mobility targets, as described at right:

- **Three Mile Lane & First Street:** Three Mile Lane experiences high traffic volumes throughout the day, especially during the PM peak hour. There are limited gaps in the traffic flow for motorists turning from First Street. The intersection also doesn't meet mobility targets based on 2018 traffic conditions.
- **Three Mile Lane & Cumulus Avenue:** The westbound and eastbound approaches are controlled with stop signs. There is no separate left-turn lane on the north leg of Three Mile Lane. Future traffic on Three Mile Lane and Cumulus Avenue is sufficiently high that eastbound and westbound motorists will find insufficient gaps to turn and travel north or south through the intersection.



Preferred Facility Design Concept

Design Concept Notes:

- Three Mile Lane interchange: reconstructed for full directional access and crossing, with new connector to Stratus Avenue - see facing page).
- Cirrus Avenue: new roundabout on OR 18, with McMinnville gateway features.
- Removal of at-grade street and driveway accesses to OR 18 in the section between Cumulus Avenue and the eastern edge of the study area, including Loop Road and Cruickshank Road.
- New east-west frontage streets north and south of OR 18, linking Cirrus Avenue, Cumulus Avenue and Norton Lane.
- New traffic signal (or roundabout) at Three-Mile Lane and Cumulus Avenue.
- Loop Road: disconnect from OR 18 and realign to new Cirrus Avenue connector and roundabout.



Oregon Highway 18 / Three Mile Lane Interchange Preferred Facility Design

The diagram above illustrates the reconstructed interchange of Oregon Highway 18 at Three Mile Lane. The interchange modifications allow full vehicular movement to and from the highway in all directions, and a bi-directional connection between the southern half of the Study Area and McMinnville's city center via Stratus Avenue. These new connections will likely carry significant local traffic demand that would otherwise travel on Oregon Highway 18 between the study area and McMinnville's city center.

The Stratus Avenue connection also provides direct connectivity for pedestrian and cyclists traveling between the southern half of the Study Area and McMinnville's city center. Separated, two-way cycle tracks on both Cumulus Avenue and Stratus Avenue will improve rider comfort and significantly reduce level of traffic stress on these routes (see below).



Proposed Oregon Highway 18 Cross Section

COMPLETE STREETS DESIGN

The Three Mile Lane Area Plan includes special complete street standards to encourage biking and walking, requiring stormwater treatment and extensive street tree plantings on all study area streets. These standards are compared to exiting standards applicable elsewhere in the City in the table blow; complete street cross-sections for Major Collector and Local Residential streets are shown on the facing page.

	Major Collector Existing Standards	Notes	Local Residential Existing Standards	Notes
Right-of-Way	74'	Increase to 80'	50'	Increase to 58'
Speed	25-30 mph		15-25 mph	
Maximum Average Daily Traffic (ADT)	16,000		1,200	
Adjacent Land Use Intensity	Medium		Low	
Sidewalks	5' residential 10-12' commercial	6'	5'	Increase to 6'
Planter Strips	6' residential N/A commercial	8'	5'	Increase to 6'
Curb-to-Curb Street Width	44'	Suggest 50'	28'	
On-Street Parking Two Sides	N/A		yes	Switch to one side parking if travelway too narrow.
Bike Facility	2 lanes (5')	Change to 8' buffered bike lanes (or cycle tracks)	Shared Lane	OK, with sharrow markings
Median / Center Turn Lane	12'		None	
Travel Lane Width	2 lanes (11')		See street width	



PROPOSED 3ML MAJOR COLLECTOR STREET CROSS-SECTION



PROPOSED 3ML LOCAL RESIDENTIAL STREET CROSS-SECTION

BICYCLE FACILITIES

The Preferred Alternative includes recommended bicycle system improvements on existing streets and new connectors to help form a more complete bicycle network within the 3MLAP study area. Bicycle facilities provide improved mobility for users riding to the city center and seeking active transportation options that support a healthy lifestyle. Bicycle facilities considered in the study include bike lanes, buffered bike lanes, bike boulevards (shared lane), cycle tracks and shared-use paths as shown on this page.

The combination of bicycle facility improvements along existing and planned collector streets, and planned pathway improvements in the study area will significantly improve bicycle access, mobility and comfort for users of all ages and confidence levels.



Buffered Bike Lane



Cycle Track



Two-Way Cycle Track



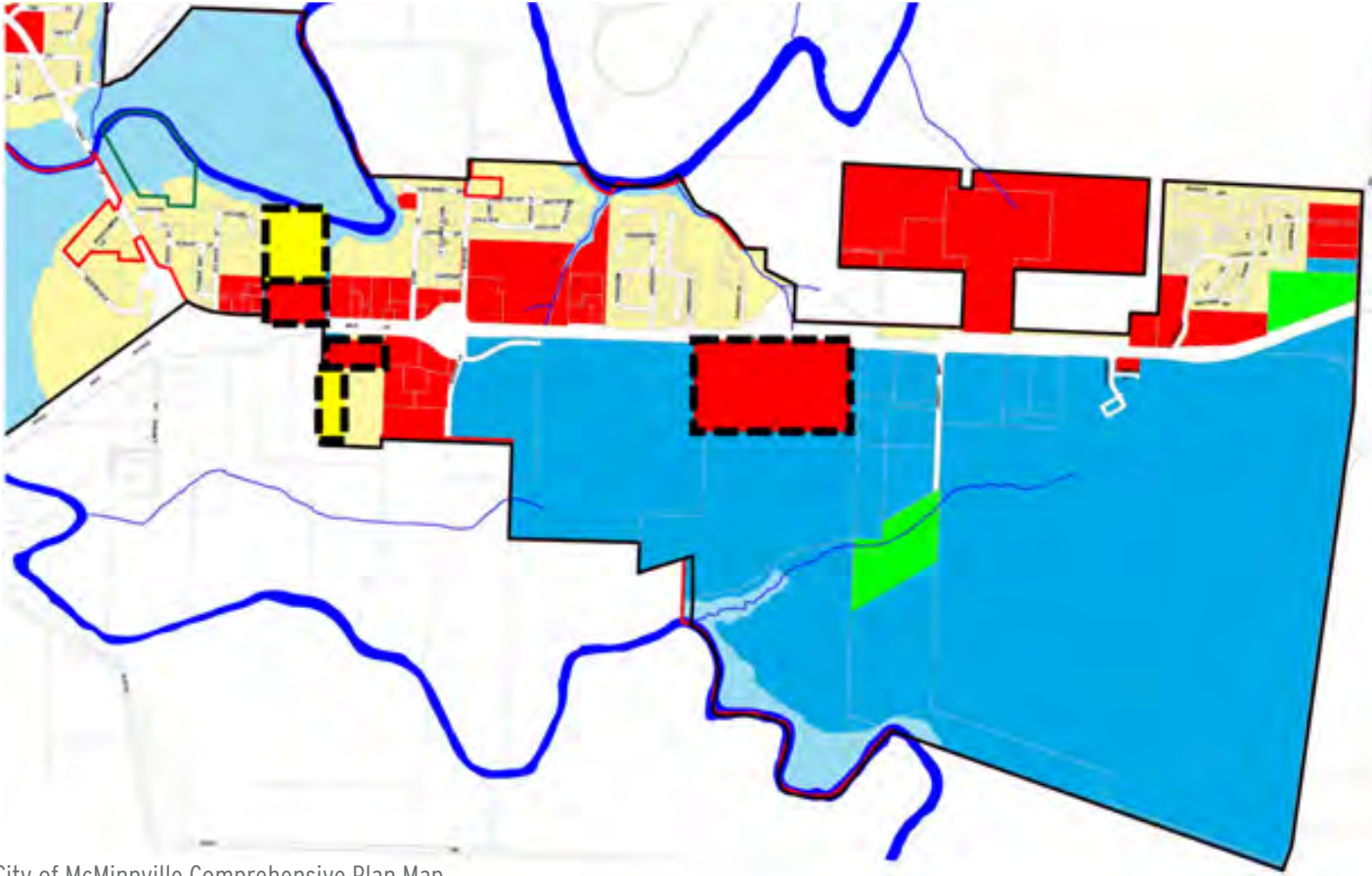
Shared Lane (sharrows)

POLICIES

The following policies are intended to guide development and future planning decisions in the Three Mile Lane area. These policies implement the Three Mile Lane Area Plan goals and describe how Great Neighborhood Principles are expected to be expressed in the future growth and development of the Three Mile Lane Area.

1. Require future development to be consistent with the design elements of the Three Mile Lane Area Plan.
2. Public improvements and private development shall strive to protect tree groves and mature individual trees.
3. Riparian corridors and adjacent native landscape shall be protected.
4. The built environment will be designed to provide and protect views to rolling hills and volcanoes and to enhance visual and physical access to the North Yamhill River. New streets and open spaces will be oriented to capture views.
5. Enhancing connections to existing trails and open space, such as connections into Joe Dancer Park and Galen McBee Airport Park, and creating a public greenway along South Yamhill River with trails and connections to the Three Mile Lane Area is a priority.
6. New gathering spaces will be designed to incorporate natural areas and views.
7. Require native landscape plantings with seasonal variation and tree plantings that include shade streets with mature tree canopy.
8. A network of sidewalks and trails will connect people to key locations within the Three Mile Lane Area.
9. The Three Mile Lane Area will have safe bicycle routes for residents and touring cyclists.
10. Proposed new streets will connect to the existing local street grid, consistent with the conceptual designs in the Three Mile Lane Area Plan and in compliance with Transportation System Plan standards.
11. New commercial developments should be designed to be at a walkable, human scale and for ease of use by all ages and abilities.
12. New commercial, office, mixed-use, and multi-family developments should be designed to reflect the micro-climate and enhance outdoor life through the incorporation of features such as porches, balconies, courtyards, plazas, etc.
13. New commercial, office, mixed-use, and industrial campus developments should promote inclusion and interaction within the right-of-way.
14. Encourage mixed-use development where feasible.
15. Proposed site landscape for new development should strive to reflect patterns of wine industry—eg, rows of vines, southern orientation, shelter belts of trees – and consider functional site planning of vineyard and farm complexes as conceptual models.
16. New development should consider adjacency to agricultural fields and respect this heritage through careful transitions.
17. Architectural building design that includes simple roof forms (industrial and agricultural) is encouraged in the Three Mile Lane Area.
18. Encourage a diversity of future housing forms, types, and design that respect the current character of the area .
19. Ensure that new commercial and industrial campus development creates a welcoming and visible interface with Three Mile Lane.
20. Encourage site design and architecture that visibly convey the historic or current industry on the site (e.g., aviation, wine-making).
21. New commercial, mixed-use, office, and industrial campus development should consider using local materials for cladding and building structure (timber, corrugated steel cladding, red brick), and incorporating vibrant color.

COMPREHENSIVE PLAN AMENDMENTS



City of McMinnville Comprehensive Plan Map

In addition to the Three Mile Lane Area Plan being adopted as an element of the Comprehensive Plan, a map amendment will be a necessary implementation action. The Area Plan envisions land uses that are different than what is currently planned for on the City's Comprehensive Plan map. To allow for the area to develop consistent with the vision for the Three Mile Lane Area, the City will need to change the Comprehensive Plan Land Use Map in the areas indicated by the dashed black line above. The predominant change is from an Industrial designation to a Commercial designation for 40 acres south of Highway 18. The other change south of the highway, west of Norton Lane, is from Industrial to Commercial and Residential. The needed amendment north of the highway and west of Norton Lane changes Industrial designated land to Commercial and Residential designations to enable the subject properties to develop as a mixed-use area.

REGULATORY FRAMEWORK

The Three Mile Lane Planned Development Overlay covers the entirety of the Three Mile Lane Area. Adopted in 1981, the overlay was established to ensure high quality design, compatibility of living and working environments, provision of open spaces and parks, and buffering of residential uses from the highway. Amendments in 1994 replaced outdated policies and added regulations for commercial signage along the Three Mile Lane corridor. The Three Mile Lane Area Plan recommends another update to address development requirements. Future development in this area will continue to be regulated by the underlying base zones, with additional or modified standards applied as applicable, based on the updated Three Mile Lane Planned Development Overlay.

Policy	Overlay Amendment	Recommended Future Action
1. Require future development to be consistent with the design elements of the Three Mile Lane Area Plan.	<p>Include specific development standards (see amendments in this table) in the Three Mile Lane Planned Development Overlay to implement the Three Mile Lane Area Plan. Note that the review and approval process for land use applications is through Three Mile Lane Design Review, Director’s Review with Notification.</p> <p>Require Mixed-use, Commercial, or Industrial development proposals over [10] acres to be subject to Planned Development Overlay (Chapter 17.51) and Planning Commission approval.</p> <p>In the Innovation Campus allow office uses that support products and services that are manufactured or developed on site or that serve as corporate offices for products that are manufactured elsewhere.</p>	
2. Public improvements and private development shall strive to protect tree groves and mature individual trees.		Identify tree groves and tree types to be protected and designate as significant or historic trees.
3. Riparian corridors and adjacent native landscapes shall be protected.	Require mapping and protection of stream corridors and re-vegetation with native plantings.	
4. The built environment will be designed to provide and protect views to rolling hills and volcanoes and to enhance visual and physical access to the North Yamhill River. New streets and open spaces will be oriented to capture views.	Require viewshed analysis as part of Design Review.	
5. Enhancing connections to existing trails and open space, such as connections into Joe Dancer Park and McBee Park, and creating a public greenway along South Yamhill River with trails and connections to the Three Mile Lane Area is a priority.	Require connection to proposed trail, trail right-of-way dedication, and trail construction as part of Design Review/development approval.	
6. New gathering spaces will be designed to incorporate natural areas and views.	When proposed as part of a Planned Development master plan, require gathering spaces be designed to incorporate natural areas and views as a condition of approval.	

REGULATORY FRAMEWORK

Policy	Overlay Amendment	Recommended Future Action
7. Require native landscape plantings with seasonal variation and tree plantings that include shade streets with mature tree canopy.	Require native landscaping and plantings of all development through Design Review.	Develop and define approved planting list and approved tree list.
8. A network of sidewalks and trails will connect people to key locations within the Three Mile Lane Area.	Apply pedestrian walkway and connectivity standards to all non-residential development. Note: Pedestrian walkway standards, currently are applied to Large Format Retail; site design requires connections between buildings and from building entrances to streets (§17.56.050.C.2).	
9. The Three Mile Lane Area will have safe bicycle routes for residents and touring cyclists.	Require transportation improvements consistent with the Area Plan through Design Review.	
10. Proposed new streets will connect to the existing local street grid, consistent with the conceptual designs in the Three Mile Lane Area Plan and in compliance with Transportation System Plan standards.	Require transportation improvements consistent with the Area Plan through Design Review.	
11. New commercial developments should be designed to be at a walkable, human scale and for ease of use by all ages and abilities.	Requirements for commercial building size and massing. Standards for parking maximums for all uses. Parking lot location requirements for commercial uses.	Additional guidelines or standards related to façade treatments. 17.56.050 Development Standards
12. New commercial, office, mixed-use, and multi-family developments should be designed to reflect the micro-climate and enhance outdoor life through the incorporation of features such as porches, balconies, courtyards, plazas, etc.	Require as part of Design Review: <ul style="list-style-type: none"> Standards for non-residential buildings to include minimum pedestrian shelter coverages along ground floor elevations/street frontages and main entrances. Residential design features to include clear and objective building design standards/architectural elements. 	Additional guidelines or standards related to façade treatments.
13. New commercial, office, mixed-use, and industrial campus developments should promote inclusion and interaction within the right-of-way.	Require as part of Design Review: <ul style="list-style-type: none"> New requirements for building orientation (set-to, building orientation); Additional guidelines or standards related to façade treatments, including transparency. Provision of on-street parking for ground-floor commercial uses (new requirements allowing on-street spaces to be counted toward parking minimums, new cross-section standards for streets with ground-floor retail). 	
14. Encourage mixed-use development where feasible.		Consider additional guidelines or requirements for the Mixed Use area.

Policy	Overlay Amendment	Recommended Future Action
15. Proposed site landscaping for new development should strive to reflect patterns of wine industry—eg, rows of vines, southern orientation, shelter belts of trees – and consider functional site planning of vineyard and farm complexes as conceptual models.	Require landscaping proposed as part of a Planned Development master plan to demonstrate how it reflects existing patterns.	
16. New development should consider adjacency to agricultural fields and respect this heritage through careful transitions.	Buffer/perimeter requirements for new non-residential development adjacent to a dissimilar use.	Determine if specific buffering requirements are needed for proposed development abutting land zoned exclusive farm use.
17. Architectural building design that includes simple roof forms (industrial and agricultural) is encouraged in the Three Mile Lane Area.		Develop design guidelines or architectural standards.
18. Encourage a diversity of future housing forms, types, and design that respect the current character of the area.	Buffer/perimeter requirements for new non-residential development adjacent to a dissimilar use.	Evaluate Zoning Ordinance to ensure there are clear and objective design standards for new residential development.
19. Ensure that new commercial and industrial campus development creates a welcoming and visible interface with Three Mile Lane.	Requirements for landscape buffering fronting Three Mile Lane. Requirements for non-residential development related to building facades, including addressing blank walls and requiring articulation and materials or color variation.	Develop design guidelines to encourage a more cohesive visual character along the corridor.
20. Encourage site design and architecture that visibly convey the historic or current industry on the site (e.g., aviation, wine-making).		Develop design guidelines or architectural standards.
21. New commercial, mixed-use, office, and industrial campus development should consider using local materials for cladding and building structure (timber, corrugated steel cladding, red brick), and incorporating vibrant color.	Requirements for non-residential development related to building facades, including addressing blank walls and requiring articulation and materials or color variation.	Develop additional design guidelines or standards related to façade treatments; define acceptable color palate.

CONCEPT PHASING & COSTS

Cost in 2021
(millions of \$)

Phase	Description	Notes	Low	High
1	Independent State and/or City Projects			
	New multi-lane roundabout at OR 18 and Cirrus Avenue		\$8.0	\$10.0
	Construct bicycle lanes and sidewalks on NE Cumulus Avenue from Cumulus to Evergreen Air and Space Museum Entrance		\$0.4	\$0.6
	Extend Cumulus Avenue east from Norton Lane and modify intersection traffic control at existing Norton Lane/Cumulus Ave intersection	(1)	tbd	tbd
2	City/State Projects Reliant on Completion of New OR 18/Cirrus Roundabout			
	Disconnect loop road from OR 18 and realign to Cirrus Avenue		\$2.5	\$3.0
	New OR 18 frontage roads between Cumulus Avenue and Cirrus Avenue (both north and south of OR 18)	(2)	tbd	tbd
3	City/State Projects Commensurate With/Reliant on New Extension of Cumulus Avenue South of OR 18			
	Construct Cumulus Avenue south of OR 18	(2)	tbd	tbd
	Revise Traffic Signal at OR 18/Cumulus Avenue intersection		\$1.1	\$1.2
	Construct bicycle lanes and sidewalks on Cumulus Avenue from OR 18 to NE Cumulus Avenue.		\$0.5	\$0.7
4	City/State Projects Commensurate With/Reliant on New OR 18/Three Mile Lane Interchange			
	Reconstruct OR 18/Three Mile Lane Interchange	(3)	\$60.0	\$90.0
	Re-Fit Cumulus Avenue (north side) with 2-Way cycle track, buffer strip and wider sidewalk: Three Mile Lane to Norton Lane		\$3.1	\$3.4
	Re-Fit Stratus Avenue (south side) with 2-Way cycle track, buffer strip and wider sidewalk: Martin Lane to Norton Lane		\$1.6	\$1.8
	Re-align Cumulus Avenue and Nehemiah Lane at Three Mile Lane		\$2.4	\$2.6
	New Traffic Signal on Three Mile Lane at Cumulus Avenue		\$0.5	\$0.6
	Re-align Lawson Lane		\$1.5	\$1.7
			\$81.6	\$115.6



May 2021

DATE: March 9, 2022

TO: Heather Richards
City of McMinnville
231 NE Fifth Street
McMinnville, Oregon 97128

FROM: Your Name

SUBJECT: Enter

PROJECT: MCM100000010
McMinnville As-Needed Transportation Planning/Engineering Consultancy

CC: Enter Names or Emails

The City of McMinnville requested that David Evans and Associates, Inc (DEA) examine the general implications of constructing a pedestrian bridge crossing of OR 18 near Norton Lane as follow-up to the Three Mile Lane Area Plan (submitted under separate cover to the City and Oregon Department of Transportation in June, 2021). This memorandum summarizes DEA's findings.

Figure 1 illustrates the conceptual dimensions of a pedestrian bridge over OR 18 located just east of Norton Lane. The placement of the conceptual pedestrian bridge assumes the following dimensions and assumptions:

Bridge Span Length	125 feet
Bridge Width	14 feet
Bridge Ramp Length and Slope	300 feet on a 5% slope ¹
Right-of-Way	Appears to fit within existing ODOT rights-of-way
Planning-Level Cost Estimate	\$3,500,000-\$5,000,000 ²

Also, for context, traffic counts taken on OR 18 at Norton Lane in 2018, which served as the baseline analysis in the Three Mile Lane Area Plan, revealed that a total of 36 pedestrians cross OR 18 within in the existing, at-grade, designated crosswalks at Norton Lane during a typical weekday, and a total of 5 pedestrians cross during the PM peak hour (4:40-5:30pm).

¹ A uniform 5% running slope generally meets the American's with Disability Act design guidelines for mobility-impaired pedestrians (US Access Board, Guide to the ADA Accessibility Standards).

² Unit costs derived from City of Sherwood, Oregon Pedestrian Connector Project (2019), which averages the cost (per square foot) of nine pedestrian bridges recently constructed in Oregon.



DATE: March 9, 2022

FROM: Andrew Mortensen

TO: Heather Richards

SUBJECT: Conceptual Pedestrian Bridge over OR 18 near Norton Lane

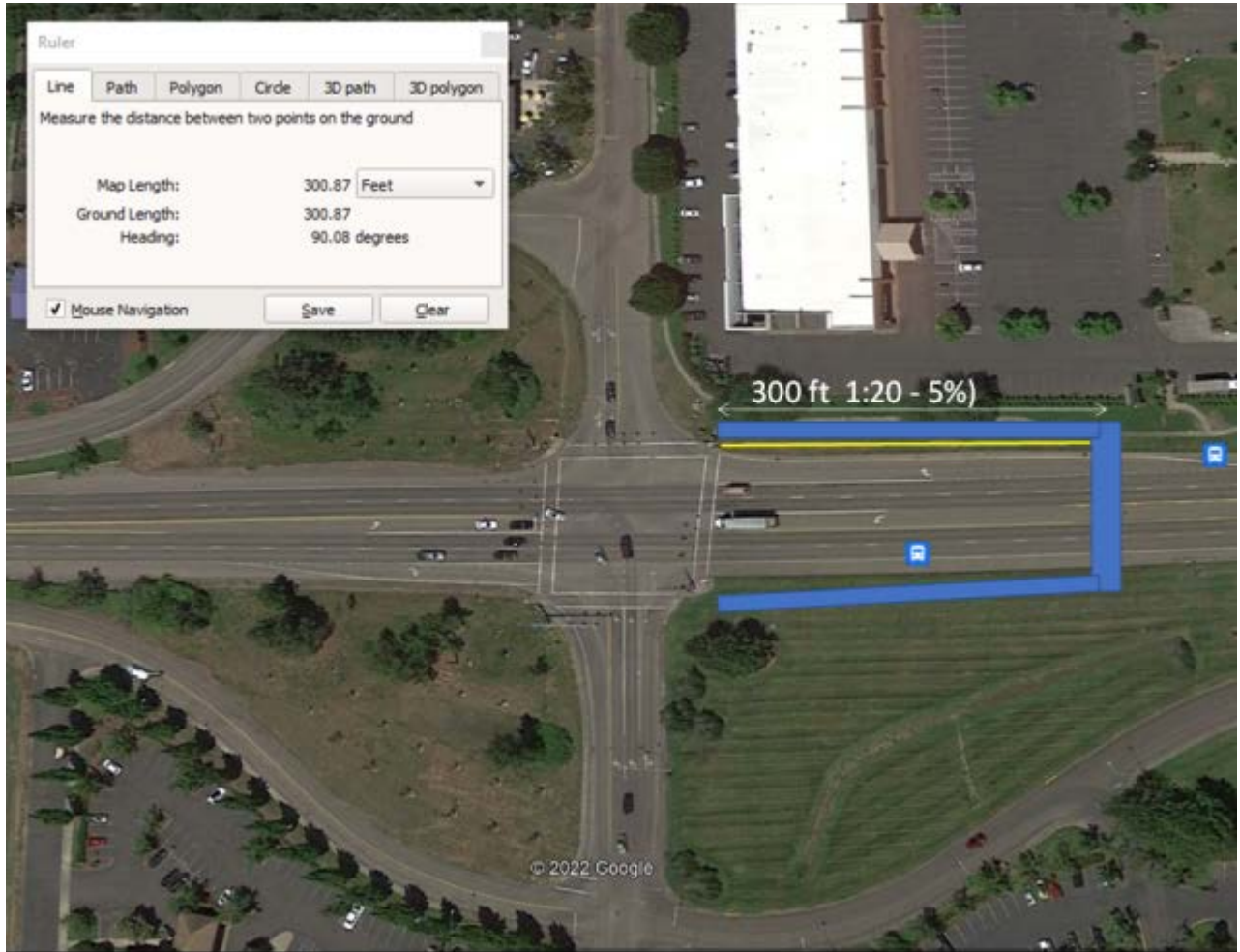


Figure 1 Conceptual Placement and Dimensions of Possible Pedestrian Bridge Over OR 18 Near Norton Lane
(Map Source: GoogleEarth)

Attachments/Enclosures: List Items

File Path: P:\M\MCM10000010\0600INFO\0670Reports\DEA Ped Bridge Memo_3-9-22.docx



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311
www.mcminnvilleoregon.gov

EXHIBIT 3 - STAFF REPORT

DATE: March 17, 2022
TO: Planning Commission Members
FROM: Tom Schauer, Senior Planner
SUBJECT: Public Hearing (Docket CPA 2-20/ZC 3-20) – Kimco Map Amendment, Request for Continuance

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

This agenda item is the Comprehensive Plan Map Amendment and Zone Change with a Planned Development Overlay (CPA 2-20/ZC 3-20) for the property owned by Kimco McMinnville LLC located at 3310 SE Three Mile Lane. The applicant has requested a continuance to the April 21, 2022 Planning Commission meeting.

Background and Discussion:

On July 14, 2021, Kimco requested a continuance to the September 16, 2021 Planning Commission hearing so they could continue to collaborate with their neighbors on coordinated applications for comprehensive plan/zoning map amendments. The continuance was approved by the Planning Commission. On September 7, Kimco requested an additional continuance to October 21, 2021, also approved by the Planning Commission. Kimco has met with and coordinated with the adjacent property owners of the properties to the east and west. The owners have been coordinating on proposed map amendments. On October 8, 2021, Kimco requested an additional continuance to November 18, 2021 to continue with this coordination effort. As noted in the email, “The three property owners are working toward having their applications considered concurrently at the November 18 meeting.” The hearing was reopened on December 16, 2021, and the Planning Commission then continued the hearing to January 20, 2022. An additional continuance was requested to February 17, 2022.

The applications for the two adjoining properties were submitted on November 18, 2021 and deemed complete on December 16, 2021. Traffic Impact Analyses (TIAs) were submitted with those two applications, with the TIAs prepared by the same consultant for the three property owners.

The initial hearings for the applications for the two adjoining properties were also scheduled for the February 17, 2022 Planning Commission meeting and continued to the March 17, 2022 meeting. The applicants for those properties have also requested continuances to the April 21, 2022 meeting.

Staff is supportive of the coordination efforts occurring with the property owners. As part of the work on the Three Mile Lane Area Plan (3MLAP), the City also previously sponsored a charette for joint conceptual planning involving these properties.

Staff supports the continued efforts of the property owners to coordinate regarding their properties. The continuance will provide further opportunity for coordinated review of traffic analysis and proposed mitigation.

Attachments:

N/A

Recommendation:

Staff recommends that the Planning Commission continue the public hearing to the April 21, 2022 Planning Commission meeting.

“I MOVE THAT THE PLANNING COMMISSION CONTINUE THE PUBLIC HEARING FOR DOCKET CPA 2-20/ZC 3-20 TO THE APRIL 21, 2022 PLANNING COMMISSION MEETING.”



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EXHIBIT 4 - STAFF REPORT

DATE: March 17, 2022
TO: Planning Commission Members
FROM: Tom Schauer, Senior Planner
SUBJECT: Public Hearing (Docket CPA 1-21/ZC 2-21) – 3330 TML LLC Map Amendment, Request for Continuance

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

This agenda item is the Comprehensive Plan Map Amendment and Zone Change with a Planned Development Overlay (CPA 1-21/ZC 2-21) for the property owned by 3330 TML LLC located at 3330 SE Three Mile Lane. The applicant has requested a continuance to the April 21, 2022 Planning Commission meeting.

Background and Discussion:

This is one of three adjacent properties that have requested map amendments.

Kimco previously submitted an application and has continued hearings to provide for coordination with the two adjacent properties. Kimco has requested a continuance to April 21, 2022.

This is one of two additional applications submitted on November 18, 2021 and deemed complete on December 16, 2021. Traffic Impact Analyses (TIAs) were submitted with those two applications, with the TIAs prepared by the same consultant for the three property owners. The initial hearings for this application and the other application submitted on November 18, 2021 were scheduled for the February 17, 2022 Planning Commission meeting. The hearings were continued to March 17, 2021. The other applicant has also requested a continuance to April 21, 2022.

Staff is supportive of the coordination efforts occurring with the property owners. As part of the work on the Three Mile Lane Area Plan (3MLAP), the City also previously sponsored a charette for joint conceptual planning involving these properties.

Staff supports the continued efforts of the property owners to coordinate regarding their properties. The continuance will provide further opportunity for coordinated review of traffic analysis and proposed mitigation.

Attachments:

N/A

Recommendation:

Staff recommends that the Planning Commission continue the public hearing to the April 21, 2022 Planning Commission meeting.

“I MOVE THAT THE PLANNING COMMISSION CONTINUE THE PUBLIC HEARING FOR DOCKET CPA 1-21/ZC 2-21 TO THE APRIL 21, 2022 PLANNING COMMISSION MEETING.”



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EXHIBIT 5 - STAFF REPORT

DATE: March 17, 2022
TO: Planning Commission Members
FROM: Tom Schauer, Senior Planner
SUBJECT: Public Hearing (Docket CPA 2-21/ZC 3-21) – DRS Land, LLC Map Amendment, Request for Continuance

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

This agenda item is the Comprehensive Plan Map Amendment and Zone Change with a Planned Development Overlay (CPA 2-21/ZC 3-21) for the property owned by DRS Land, LLC located near Cumulus Avenue and SE three Mile Lane. The applicant has requested a continuance to the April 21, 2022 Planning Commission meeting.

Background and Discussion:

This is one of three adjacent properties that have requested map amendments.

Kimco previously submitted an application and has continued hearings to provide for coordination with the two adjacent properties. Kimco has requested a continuance to April 21, 2022.

This is one of two additional applications submitted on November 18, 2021 and deemed complete on December 16, 2021. Traffic Impact Analyses (TIAs) were submitted with those two applications, with the TIAs prepared by the same consultant for the three property owners. The initial hearings for this application and the other application submitted on November 18, 2021 were scheduled for the February 17, 2022 Planning Commission meeting. The hearings were continued to March 17, 2021. The other applicant has also requested a continuance to April 21, 2022.

Staff is supportive of the coordination efforts occurring with the property owners. As part of the work on the Three Mile Lane Area Plan (3MLAP), the City also previously sponsored a charette for joint conceptual planning involving these properties.

Staff supports the continued efforts of the property owners to coordinate regarding their properties. The continuance will provide further opportunity for coordinated review of traffic analysis and proposed mitigation.

Attachments:

N/A

Recommendation:

Staff recommends that the Planning Commission continue the public hearing to the April 21, 2022 Planning Commission meeting.

“I MOVE THAT THE PLANNING COMMISSION CONTINUE THE PUBLIC HEARING FOR DOCKET CPA 2-21/ZC 3-21 TO THE APRIL 21, 2022 PLANNING COMMISSION MEETING.”

EXHIBIT 6 – STAFF REPORT

DATE: March 17, 2022
TO: Planning Commissioners
FROM: Heather Richards, Planning Director
SUBJECT: Public Hearing, G 6-21, Adopting Chapter 17.11, “Residential Design and Development Standards” to the McMinnville Municipal Code and adopting housekeeping McMinnville Municipal Code amendments and housekeeping McMinnville Comprehensive Plan amendments to support the new proposed Residential Design and Development Standards.

STRATEGIC PRIORITY & GOAL:

 <p>GROWTH & DEVELOPMENT CHARACTER Guide growth & development strategically, responsively & responsibly to enhance our unique character.</p>	 <p>HOUSING OPPORTUNITIES (ACROSS THE INCOME SPECTRUM) Create diverse housing opportunities that support great neighborhoods.</p>
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OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

This is a public hearing to consider Docket G 6-21, proposed amendments to the McMinnville Municipal Code and Comprehensive Plan, supporting a new residential design and development standards that staff has been working on with consultants and the planning commission for the past four years. The proposed code amendments will satisfy the requirements of HB 2001 (2019 legislative session), and community interest in housing design and development standards that allow for a greater variety of housing types to serve the housing needs of McMinnville, built in such a way that it reflects the aesthetic values and sense of place of McMinnville.

Background:

Background on Legislative and State Processes

In 2019, the Oregon Legislature passed House Bill 2001 (HB 2001), a bill that will result in changes to the types of housing that are allowed to be constructed in residential areas in cities across the state of Oregon (Please see Attachment 1). HB 2001 requires cities of certain sizes to allow “middle housing” in areas and properties that allow for the development of detached single-family dwellings. Middle housing is defined in HB 2001 as including duplexes, triplexes, quadplexes (fourplexes), cottage clusters, and townhouses. More specifically, HB 2001 requires that large cities, or those with a population over 25,000 (which includes McMinnville), shall allow the development of the following:

- “All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings” and
- “A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings.”

Cities that fall within the large city category are required to adopt land use regulations and Comprehensive Plan amendments to address HB 2001 by June 30, 2022. Understanding that infrastructure capacity may result in difficulties with allowing an expanded range of housing types in areas of cities that historically only allowed for single-family dwellings, HB 2001 was drafted to include a process to allow cities to identify infrastructure deficiency issues and request extensions to address those issues. Extension requests to address infrastructure deficiency issues were required to be submitted to the Department of Land Conservation and Development (DLCD) by June 30, 2021. The City evaluated its infrastructure for deficiencies, but determined that any infrastructure deficiencies were not significant enough under the parameters set out in OAR 660-046-0300 *et seq* to request an extension from DLCD.

As part of the state-wide implementation of HB 2001, the Department of Land Conservation and Development (DLCD) led a rulemaking process that resulted in clarifications to the HB 2001 language and more specifically prescribes the requirements that cities must follow relative to the allowance of the middle housing types. The rulemaking process was recently finalized, and the final version of the rules was adopted by the Land Conservation and Development Commission (LCDC) on December 9, 2020. These rules were adopted as Oregon Administrative Rules (OAR) Chapter 660, Division 46. The adopted rules, as well as a copy of HB 2001, are attached to this staff report. (Please see Attachment 2).

The rulemaking process resulted in the creation of minimum standards that medium and large cities must follow to allow middle housing types. The rules also created a “model code”, which would apply directly in cities that do not implement their own development code and Comprehensive Plan amendments prior to the deadlines established in HB 2001.

Background on Local Work in Support of HB 2001

In preparation for the implementation of HB 2001, the McMinnville Planning Department began work on the creation of development and design standards for the housing types that are described in HB 2001 and commonly referred to as middle housing types. This work was included on the Planning Department and Planning Commission work plans beginning in 2018 through the current fiscal year, and was generally referred to as the Residential Development and Design Standards project.

The McMinnville Planning Department began the Residential Development and Design Standards project with a focus on the implementation of McMinnville’s Great Neighborhood Principles (GNP). As stated in McMinnville Comprehensive Plan Policy 187.10, the GNP are intended to “...guide the land use patterns, design, and development of the places that McMinnville citizens live, work, and play. The Great Neighborhood Principles will ensure that all developed places include characteristics and elements that create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood with enduring value...”. The GNPs include two principles that are specific to housing, which are as follows:

11. Housing for Diverse Incomes and Generations. Great Neighborhoods provide housing opportunities for people and families with a wide range of incomes, and for people and families in all stages of life.
12. Housing Variety. Great Neighborhoods have a variety of building forms and architectural variety to avoid monoculture design.

The GNP section of the McMinnville Comprehensive Plan also includes Proposal 46.00, which states that “The City shall develop development codes that allow for a variety of housing types and forms, and

shall develop site and design requirements for those housing types and form.” The development of the Residential Development and Design Standards will assist the City in implementing Proposal 46.00.

From May 2019 to December 2019, the Planning Department worked with a consultant to develop an initial first draft of potential Residential Development and Design Standards, which again were intended to provide development and design standards for middle housing types. The scope of this work was also to begin work on the creation of standards that would allow for the middle housing types that were eventually to be required in HB 2001, but to do so in a manner that would be consistent and compatible with McMinnville’s existing neighborhoods and development characteristics.

The Planning Commission reviewed and provided comments on the draft Residential Development and Design Standards over the course of five work session meetings from January 2020 to July 2020. The Planning Commission reviewed the draft document in great detail, and provided comments and direction to Planning Department staff on amendments and edits to make to the draft standards within the document.

In 2020, the Planning Department also applied for and was successfully awarded two Technical Assistance Grants from DLCD to provide funding for work related to the implementation of HB 2001. One of the grants was awarded for work on the local code amendments necessary to bring the City’s development code into compliance. The second grant was awarded for an analysis of infrastructure capacity throughout the City to identify whether there were any infrastructure deficiencies that would result in a request for an extension on the implementation of HB 2001 to address those infrastructure deficiencies. The City contracted with Jacobs Engineering Group in February 2021 to undertake a review of the City’s infrastructure to determine whether the deficiencies met the parameters and thresholds established in OAR 660-046-0300 *et seq.* to request an extension from DLCD. The review concluded that the City did not meet those requirements to justify a request for an extension from DLCD. Staff presented this information to City Council on June 8, 2021.

The City’s work on code amendments to come into compliance with HB 2001 was put on hold for a short amount of time to allow time for the rulemaking process to be completed, primarily to ensure that the eventual code amendment work would not be in direct conflict with the final, adopted Oregon Administrative Rules (OARs). Once the OARs were adopted, the Planning Commission held a work session in January 2021 to review the adopted rules. Next, the Planning Department worked with the same consultant that developed the initial draft Residential Development and Design Standards to analyze that document against the adopted missing middle OARs, and provide recommendations for any updates that would be necessary to bring the draft Residential Development and Design Standards into compliance with the adopted OARs.

Overview of HB 2001 Rules (OARs)

- Duplexes and middle housing must be allowed in “areas zoned for residential use that allow for the development of detached single-family dwellings”. “Zoned for Residential Use” is defined in the OARs as “a zoning district in which residential dwellings are the primary use and which implements a residential comprehensive plan map designation.”
 - In McMinnville, this includes the R-1, R-2, R-3, and R-4 zones
- Established that density maximums cannot be applied to middle housing types.
- Minimum thresholds were established for “siting standards” that can be applied to middle housing types. These siting standards include things like minimum lot size, setbacks, height, lot coverage, and Floor Area Ratios (note that McMinnville does not currently have minimum lot coverage or Floor Area Ratios). In general, the siting standards are required to be the same as those that are applied to single family dwellings in the same zone.
- Established maximum numbers of off-street parking spaces that cities may require for middle housing types

- In general, the maximum number of off-street parking spaces that may be required is one space per dwelling unit.
- Triplexes and quadplexes include off-street parking space maximums that are based on the size of the lot in question, not based on the total number of dwelling units.
 - For triplexes, one (1) total off-street parking space may required for lots less than 3,000 square feet, two (2) total off-street parking spaces may required for lots between 3,000 and 4,999 square feet, and three (3) total off-street parking spaces may required for lots 5,000 square feet or larger.
 - For quadplexes, one (1) total off-street parking space may required for lots less than 3,000 square feet, two (2) total off-street parking spaces may required for lots between 3,000 and 4,999 square feet, three (3) total off-street parking spaces may required for lots between 5,000 and 6,999 square feet, and four (4) total off-street parking spaces may be required for lots 7,000 square feet or larger.
- Middle housing must be allowed to follow the same off-street parking surfacing, dimensional, access, and circulation standards that apply to detached single-family dwellings in the same zone.
- OARs require that large cities apply the same approval and review process to middle housing as is applied to detached single-family dwellings in the same zone. In McMinnville, detached single-family dwellings are reviewed and approved through a standard building permit review process, where basic zoning and other development standards are reviewed.

The consultant’s analysis of the draft document and their recommendations for potential updates were shared with and reviewed in detail by the Planning Commission during a work session discussion in April 2021. In addition, the Planning Department held three open house webinars to share information on the adopted missing middle OARs and the draft development standards that the City was in the process of developing. Those open house webinars were held April 27, 2021 through April 29, 2021. Feedback and direction on the consultant’s recommendations were provided by the Planning Commission, and incorporated into an updated draft of the Residential Development and Design Standards document. Work sessions were then conducted with the City Council and Planning Commission in August, 2021 to review the final recommendations. And a joint work session with the City Council and Planning Commission was conducted on February 22, 2022 to review the final recommended code amendments.

Discussion:

Staff is recommending to maintain the existing residential zones, amending the allowed housing types in each zone to be compliant with HB 2001 and adopting a new chapter, 17.11 to Title 17, “Zoning Ordinance”, of the McMinnville Municipal Code, entitled “Residential Design and Development Standards.

Staff is also adding Tiny Homes, Accessory Dwelling Units, Single Room Occupancy and Multi-Family Dwellings to this package of amendments to allow for more variety of housing types and consistency of design and development standards.

And finally, staff is recommending removing all references to “family” in the McMinnville Municipal Code and the McMinnville Comprehensive Plan as it pertains to identifying housing types.

- 17.11 Residential Design and Development Standards (New Proposed Chapter)
- 17.12 R-1 Low-Density 9000 SF Lot Residential Zone
- 17.15 R-2 Low-Density 7000 SF Lot Residential Zone
- 17.18 R-3 Medium Density 6000 SF Lot Residential Zone
- 17.21 R-4 Medium High-Density 5000 SF Lot Residential Zone
- 17.22 R-5 High-Density Multiple Dwelling Residential Zone

Overview of Residential Development and Design Standards

The Residential Development and Design Standards have been drafted to include standards for all housing types allowed in McMinnville. The housing types included in the Residential Development and Design Standards include:

- Tiny Houses
- Cottage Clusters
- Plexes (including duplex, triplex, and quadplex)
- Single Dwellings
- Townhouses
- Accessory Dwelling Units (ADU)
- Single Room Occupancy
- Apartments

In an effort to address the Great Neighborhood Principles, particularly those of Pedestrian Friendly, Accessibility, Human Scale Design, and Housing Variety, the residential development and design standards were developed with a holistic approach that focuses on a combination of site design, building form, and architectural features. These components were also considered to allow for the development of these potentially new housing types in a manner that is compatible with existing neighborhoods and housing in McMinnville. To achieve this, basic development standards are proposed for each housing type, including basic site standards such as lot size, lot width, lot depth, building setbacks, and building height. In addition to these basic development standards, more detailed design standards are proposed to be applied to all of the housing types, which are referred to as Universal Design Standards. The intent is that the application of both the Universal Design Standards and the basic site development standards will combine to result in building forms that are compatible with the existing development pattern and character of McMinnville, while still allowing the new housing types that are required by HB 2001.

The development standards are divided into two applications – subdivision and infill, and planned development. The subdivision and infill standards are compliant with the underlying zone and will provide the most consistency of development design in a neighborhood. The planned development standards are specific to each housing type individually to be used in a master-planned community. The planned development standards allow for more flexibility and diversity in terms of lot sizes, setbacks, etc. for each housing type.

Universal Design Standards Overview

The Universal Design Standards include standards related to the following:

- Façade
- Street Frontage
- Front Yard
- Alleys
- Garages
- Common Open Space
- Private Open Space
- Compatibility
- Planned Development Standards, including:
 - Partial Alleys
 - Usable Side Yard Setbacks

As discussed above, the Universal Design Standards are proposed to be applied to all of the housing types. Some of the Universal Design Standards are proposed to only apply to certain housing types, such as Private Open Space, which would apply only to Apartments. A table summarizing which Universal Design Standards would be applicable to each housing type is provided below:

	Tiny House	Cottage Cluster	Plex	Single Dwelling	Town-house	ADU	Apartment
Façade	X	X	X	X	X	X	X
Street Frontage	X	X	X	X	X	X	X
Front Yard	X	X	X	X	X	X	X
Alleys	X	X	X	X	X	X	X
Parking	X	X	X	X	X		X
Common OS							X
Private OS							X
Compatibility	X	X	X	X	X	X	X
Partial alley (optional)	X		X		X	X	X
Usable Site Yard Setback (optional)	X		X	X		X	X
Common Green (optional)	X	X	X	X	X	X	X

Attachments:

- Attachment 1: House Bill 2001
- Attachment 2: Middle Housing Rules – OAR Chapter 660 Division 46 – Adopted December 9, 2020
- Attachment 3: Proposed Chapter 17.11 of the McMinnville Municipal Code
- Attachment 4: Proposed Housekeeping Amendments to the McMinnville Municipal Code
- Attachment 5: Proposed Housekeeping Amendments to the McMinnville Comprehensive Plan
- Attachment 6: Decision Document (G 6-21)

Recommendation:

Staff recommends the Planning Commission recommend the proposed McMinnville Municipal Code and McMinnville Comprehensive Plan amendments to the McMinnville City Council for adoption.

“I MOVE THAT THE PLANNING COMMISSION RECOMMEND DOCKET G 6-21, MCMINNVILLE RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS, TO THE MCMINNVILLE CITY COUNCIL.

80th OREGON LEGISLATIVE ASSEMBLY--2019 Regular Session

Enrolled
House Bill 2001

Sponsored by Representative KOTEK; Representatives FAHEY, HERNANDEZ, MARSH,
MITCHELL, POWER, STARK, WILLIAMS, ZIKA (Presession filed.)

CHAPTER

AN ACT

Relating to housing; creating new provisions; amending ORS 197.296, 197.303, 197.312 and 455.610 and section 1, chapter 47, Oregon Laws 2018; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS chapter 197.

SECTION 2. (1) As used in this section:

(a) "Cottage clusters" means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard.

(b) "Middle housing" means:

(A) Duplexes;

(B) Triplexes;

(C) Quadplexes;

(D) Cottage clusters; and

(E) Townhouses.

(c) "Townhouses" means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.

(2) Except as provided in subsection (4) of this section, each city with a population of 25,000 or more and each county or city within a metropolitan service district shall allow the development of:

(a) All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings; and

(b) A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings.

(3) Except as provided in subsection (4) of this section, each city not within a metropolitan service district with a population of more than 10,000 and less than 25,000 shall allow the development of a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings. Nothing in this subsection prohibits a local government from allowing middle housing types in addition to duplexes.

(4) This section does not apply to:

(a) Cities with a population of 1,000 or fewer;

(b) Lands not within an urban growth boundary;

(c) Lands that are not incorporated and also lack sufficient urban services, as defined in ORS 195.065;

(d) Lands that are not zoned for residential use, including lands zoned primarily for commercial, industrial, agricultural or public uses; or

(e) Lands that are not incorporated and are zoned under an interim zoning designation that maintains the land's potential for planned urban development.

(5) Local governments may regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable costs or delay. Local governments may regulate middle housing to comply with protective measures adopted pursuant to statewide land use planning goals.

(6) This section does not prohibit local governments from permitting:

(a) Single-family dwellings in areas zoned to allow for single-family dwellings; or

(b) Middle housing in areas not required under this section.

SECTION 3. (1) Notwithstanding ORS 197.646, a local government shall adopt land use regulations or amend its comprehensive plan to implement section 2 of this 2019 Act no later than:

(a) June 30, 2021, for each city subject to section 2 (3) of this 2019 Act; or

(b) June 30, 2022, for each local government subject to section 2 (2) of this 2019 Act.

(2) The Land Conservation and Development Commission, with the assistance of the Building Codes Division of the Department of Consumer and Business Services, shall develop a model middle housing ordinance no later than December 31, 2020.

(3) A local government that has not acted within the time provided under subsection (1) of this section shall directly apply the model ordinance developed by the commission under subsection (2) of this section under ORS 197.646 (3) until the local government acts as described in subsection (1) of this section.

(4) In adopting regulations or amending a comprehensive plan under this section, a local government shall consider ways to increase the affordability of middle housing by considering ordinances and policies that include but are not limited to:

(a) Waiving or deferring system development charges;

(b) Adopting or amending criteria for property tax exemptions under ORS 307.515 to 307.523, 307.540 to 307.548 or 307.651 to 307.687 or property tax freezes under ORS 308.450 to 308.481; and

(c) Assessing a construction tax under ORS 320.192 and 320.195.

(5) When a local government makes a legislative decision to amend its comprehensive plan or land use regulations to allow middle housing in areas zoned for residential use that allow for detached single-family dwellings, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

SECTION 4. (1) Notwithstanding section 3 (1) or (3) of this 2019 Act, the Department of Land Conservation and Development may grant to a local government that is subject to section 2 of this 2019 Act an extension of the time allowed to adopt land use regulations or amend its comprehensive plan under section 3 of this 2019 Act.

(2) An extension under this section may be applied only to specific areas where the local government has identified water, sewer, storm drainage or transportation services that are either significantly deficient or are expected to be significantly deficient before December 31, 2023, and for which the local government has established a plan of actions that will remedy the deficiency in those services that is approved by the department. The extension may not extend beyond the date that the local government intends to correct the deficiency under the plan.

(3) In areas where the extension under this section does not apply, the local government shall apply its own land use regulations consistent with section 3 (1) of this 2019 Act or the model ordinance developed under section 3 (2) of this 2019 Act.

(4) A request for an extension by a local government must be filed with the department no later than:

- (a) **December 31, 2020, for a city subject to section 2 (3) of this 2019 Act.**
- (b) **June 30, 2021, for a local government subject to section 2 (2) of this 2019 Act.**
- (5) **The department shall grant or deny a request for an extension under this section:**
 - (a) **Within 90 days of receipt of a complete request from a city subject to section 2 (3) of this 2019 Act.**
 - (b) **Within 120 days of receipt of a complete request from a local government subject to section 2 (2) of this 2019 Act.**
- (6) **The department shall adopt rules regarding the form and substance of a local government's application for an extension under this section. The department may include rules regarding:**
 - (a) **Defining the affected areas;**
 - (b) **Calculating deficiencies of water, sewer, storm drainage or transportation services;**
 - (c) **Service deficiency levels required to qualify for the extension;**
 - (d) **The components and timing of a remediation plan necessary to qualify for an extension;**
 - (e) **Standards for evaluating applications; and**
 - (f) **Establishing deadlines and components for the approval of a plan of action.**

SECTION 5. ORS 197.296 is amended to read:

197.296. (1)(a) The provisions of subsections (2) to (9) of this section apply to metropolitan service district regional framework plans and local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of 25,000 or more.

(b) The Land Conservation and Development Commission may establish a set of factors under which additional cities are subject to the provisions of this section. In establishing the set of factors required under this paragraph, the commission shall consider the size of the city, the rate of population growth of the city or the proximity of the city to another city with a population of 25,000 or more or to a metropolitan service district.

(2) At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan or regional framework plan that concerns the urban growth boundary and requires the application of a statewide planning goal relating to buildable lands for residential use, a local government shall demonstrate that its comprehensive plan or regional framework plan provides sufficient buildable lands within the urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years. The 20-year period shall commence on the date initially scheduled for completion of the periodic or legislative review.

(3) In performing the duties under subsection (2) of this section, a local government shall:

(a) Inventory the supply of buildable lands within the urban growth boundary and determine the housing capacity of the buildable lands; and

(b) Conduct an analysis of **existing and projected** housing need by type and density range, in accordance with **all factors under** ORS 197.303 and statewide planning goals and rules relating to housing, to determine the number of units and amount of land needed for each needed housing type for the next 20 years.

(4)(a) For the purpose of the inventory described in subsection (3)(a) of this section, "buildable lands" includes:

(A) Vacant lands planned or zoned for residential use;

(B) Partially vacant lands planned or zoned for residential use;

(C) Lands that may be used for a mix of residential and employment uses under the existing planning or zoning; and

(D) Lands that may be used for residential infill or redevelopment.

(b) For the purpose of the inventory and determination of housing capacity described in subsection (3)(a) of this section, the local government must demonstrate consideration of:

(A) The extent that residential development is prohibited or restricted by local regulation and ordinance, state law and rule or federal statute and regulation;

(B) A written long term contract or easement for radio, telecommunications or electrical facilities, if the written contract or easement is provided to the local government; and

(C) The presence of a single family dwelling or other structure on a lot or parcel.

(c) Except for land that may be used for residential infill or redevelopment, a local government shall create a map or document that may be used to verify and identify specific lots or parcels that have been determined to be buildable lands.

(5)(a) Except as provided in paragraphs (b) and (c) of this subsection, the determination of housing capacity *[and need]* pursuant to subsection [(3)] **(3)(a)** of this section must be based on data relating to land within the urban growth boundary that has been collected since the last *[periodic]* review or *[five]* **six** years, whichever is greater. The data shall include:

(A) The number, density and average mix of housing types of urban residential development that have actually occurred;

(B) Trends in density and average mix of housing types of urban residential development;

(C) **Market factors that may substantially impact future urban residential development;**
and

[(C) Demographic and population trends;]

[(D) Economic trends and cycles; and]

[(E)] **(D)** The number, density and average mix of housing types that have occurred on the buildable lands described in subsection (4)(a) of this section.

(b) A local government shall make the determination described in paragraph (a) of this subsection using a shorter time period than the time period described in paragraph (a) of this subsection if the local government finds that the shorter time period will provide more accurate and reliable data related to housing capacity *[and need]*. The shorter time period may not be less than three years.

(c) A local government shall use data from a wider geographic area or use a time period *[for economic cycles and trends]* longer than the time period described in paragraph (a) of this subsection if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to paragraph (a) of this subsection. The local government must clearly describe the geographic area, time frame and source of data used in a determination performed under this paragraph.

(6) If the housing need determined pursuant to subsection (3)(b) of this section is greater than the housing capacity determined pursuant to subsection (3)(a) of this section, the local government shall take one or *[more]* **both** of the following actions to accommodate the additional housing need:

(a) Amend its urban growth boundary to include sufficient buildable lands to accommodate housing needs for the next 20 years. As part of this process, the local government shall consider the effects of measures taken pursuant to paragraph (b) of this subsection. The amendment shall include sufficient land reasonably necessary to accommodate the siting of new public school facilities. The need and inclusion of lands for new public school facilities shall be a coordinated process between the affected public school districts and the local government that has the authority to approve the urban growth boundary[;].

(b) Amend its comprehensive plan, regional framework plan, functional plan or land use regulations to include new measures that demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without expansion of the urban growth boundary. A local government or metropolitan service district that takes this action shall *[monitor and record the level of development activity and development density by housing type following the date of the adoption of the new measures; or]* **adopt findings regarding the density expectations assumed to result from measures adopted under this paragraph based upon the factors listed in ORS 197.303 (2) and data in subsection (5)(a) of this section. The density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures. For a local government located outside of a metropolitan service district, a quantifiable vali-**

ation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the local jurisdiction or a jurisdiction in the same region. For a metropolitan service district, a quantifiable validation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the metropolitan service district.

[(c) Adopt a combination of the actions described in paragraphs (a) and (b) of this subsection.]

(c) As used in this subsection, “authorized density level” has the meaning given that term in ORS 227.175.

(7) Using the **housing need** analysis conducted under subsection (3)(b) of this section, the local government shall determine the overall average density and overall mix of housing types at which residential development of needed housing types must occur in order to meet housing needs over the next 20 years. If that density is greater than the actual density of development determined under subsection (5)(a)(A) of this section, or if that mix is different from the actual mix of housing types determined under subsection (5)(a)(A) of this section, the local government, as part of its periodic review, shall adopt measures that demonstrably increase the likelihood that residential development will occur at the housing types and density and at the mix of housing types required to meet housing needs over the next 20 years.

(8)(a) A local government outside a metropolitan service district that takes any actions under subsection (6) or (7) of this section shall demonstrate that the comprehensive plan and land use regulations comply with goals and rules adopted by the commission and implement ORS 197.295 to 197.314.

(b) *[The]* A local government shall determine the density and mix of housing types anticipated as a result of actions taken under subsections (6) and (7) of this section and monitor and record the actual density and mix of housing types achieved **following the adoption of these actions**. The local government shall compare actual and anticipated density and mix. The local government shall submit its comparison to the commission at the next periodic review or at the next legislative review of its urban growth boundary, whichever comes first.

(9) In establishing that actions and measures adopted under subsections (6) and (7) of this section demonstrably increase the likelihood of higher density residential development, the local government shall at a minimum ensure that land zoned for needed housing is in locations appropriate for the housing types identified under subsection (3) of this section, *[and]* is zoned at density ranges that are likely to be achieved by the housing market using the analysis in subsection (3) of this section **and is in areas where sufficient urban services are planned to enable the higher density development to occur over the 20-year period**. Actions or measures, or both, may include but are not limited to:

- (a) Increases in the permitted density on existing residential land;
- (b) Financial incentives for higher density housing;
- (c) Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;
- (d) Removal or easing of approval standards or procedures;
- (e) Minimum density ranges;
- (f) Redevelopment and infill strategies;
- (g) Authorization of housing types not previously allowed by the plan or regulations;
- (h) Adoption of an average residential density standard; and
- (i) Rezoning or redesignation of nonresidential land.

(10)(a) The provisions of this subsection apply to local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of less than 25,000.

(b) At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan that requires the application of a statewide planning goal relating to buildable lands for residential use, a city shall, according to rules of the commission:

- (A) Determine the estimated housing needs within the jurisdiction for the next 20 years;
- (B) Inventory the supply of buildable lands available within the urban growth boundary to accommodate the estimated housing needs determined under this subsection; and
- (C) Adopt measures necessary to accommodate the estimated housing needs determined under this subsection.

(c) For the purpose of the inventory described in this subsection, “buildable lands” includes those lands described in subsection (4)(a) of this section.

SECTION 6. ORS 197.303 is amended to read:

197.303. (1) As used in ORS [197.307] **197.295 to 197.314**, “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. “Needed housing” includes the following housing types:

- (a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;
- (b) Government assisted housing;
- (c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;
- (d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and
- (e) Housing for farmworkers.

(2) For the purpose of estimating housing needs, as described in ORS 197.296 (3)(b), a local government shall use the population projections prescribed by ORS 195.033 or 195.036 and shall consider and adopt findings related to changes in each of the following factors since the last periodic or legislative review or six years, whichever is greater, and the projected future changes in these factors over a 20-year planning period:

- (a) Household sizes;**
- (b) Household demographics in terms of age, gender, race or other established demographic category;**
- (c) Household incomes;**
- (d) Vacancy rates; and**
- (e) Housing costs.**

(3) A local government shall make the estimate described in subsection (2) of this section using a shorter time period than since the last periodic or legislative review or six years, whichever is greater, if the local government finds that the shorter time period will provide more accurate and reliable data related to housing need. The shorter time period may not be less than three years.

(4) A local government shall use data from a wider geographic area or use a time period longer than the time period described in subsection (2) of this section if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to subsection (2) of this section. The local government must clearly describe the geographic area, time frame and source of data used in an estimate performed under this subsection.

[2] **(5)** Subsection (1)(a) and (d) of this section does not apply to:

- (a) A city with a population of less than 2,500.
- (b) A county with a population of less than 15,000.

[3] **(6)** A local government may take an exception under ORS 197.732 to the definition of “needed housing” in subsection (1) of this section in the same manner that an exception may be taken under the goals.

SECTION 7. ORS 197.312, as amended by section 7, chapter 15, Oregon Laws 2018, is amended to read:

197.312. (1) A city or county may not by charter prohibit from all residential zones attached or detached single-family housing, multifamily housing for both owner and renter occupancy or manufactured homes. A city or county may not by charter prohibit government assisted housing or impose additional approval standards on government assisted housing that are not applied to similar but unassisted housing.

(2)(a) A single-family dwelling for a farmworker and the farmworker's immediate family is a permitted use in any residential or commercial zone that allows single-family dwellings as a permitted use.

(b) A city or county may not impose a zoning requirement on the establishment and maintenance of a single-family dwelling for a farmworker and the farmworker's immediate family in a residential or commercial zone described in paragraph (a) of this subsection that is more restrictive than a zoning requirement imposed on other single-family dwellings in the same zone.

(3)(a) Multifamily housing for farmworkers and farmworkers' immediate families is a permitted use in any residential or commercial zone that allows multifamily housing generally as a permitted use.

(b) A city or county may not impose a zoning requirement on the establishment and maintenance of multifamily housing for farmworkers and farmworkers' immediate families in a residential or commercial zone described in paragraph (a) of this subsection that is more restrictive than a zoning requirement imposed on other multifamily housing in the same zone.

(4) A city or county may not prohibit a property owner or developer from maintaining a real estate sales office in a subdivision or planned community containing more than 50 lots or dwelling units for the sale of lots or dwelling units that remain available for sale to the public.

(5)(a) A city with a population greater than 2,500 or a county with a population greater than 15,000 shall allow in areas within the urban growth boundary that are zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.

(b) As used in this subsection[,]:

(A) "Accessory dwelling unit" means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.

(B) "**Reasonable local regulations relating to siting and design**" does not include owner-occupancy requirements of either the primary or accessory structure or requirements to construct additional off-street parking.

(6) **Subsection (5) of this section does not prohibit local governments from regulating vacation occupancies, as defined in ORS 90.100, to require owner-occupancy or off-street parking.**

SECTION 8. Section 1, chapter 47, Oregon Laws 2018, is amended to read:

Sec. 1. (1) For purposes of this section:

(a) A household is severely rent burdened if the household spends more than 50 percent of the income of the household on gross rent for housing.

(b) A regulated affordable unit is a residential unit subject to a regulatory agreement that runs with the land and that requires affordability for an established income level for a defined period of time.

[(c) A single-family unit may be rented or owned by a household and includes single-family homes, duplexes, townhomes, row homes and mobile homes.]

(2)(a) The Housing and Community Services Department shall annually provide to the governing body of each city in this state with a population greater than 10,000 the most current data available from the United States Census Bureau, or any other source the department considers at least as reliable, showing the percentage of renter households in the city that are severely rent burdened.

(b) The Housing and Community Services Department, in collaboration with the Department of Land Conservation and Development, shall develop a survey form on which the governing body of

a city may provide specific information related to the affordability of housing within the city, including, but not limited to:

(A) The actions relating to land use and other related matters that the governing body has taken to increase the affordability of housing and reduce rent burdens for severely rent burdened households; and

(B) The additional actions the governing body intends to take to reduce rent burdens for severely rent burdened households.

(c) If the Housing and Community Services Department determines that at least 25 percent of the renter households in a city are severely rent burdened, the department shall provide the governing body of the city with the survey form developed pursuant to paragraph (b) of this subsection.

(d) The governing body of the city shall return the completed survey form to the Housing and Community Services Department and the Department of Land Conservation and Development within 60 days of receipt.

(3)(a) In any year in which the governing body of a city is informed under this section that at least 25 percent of the renter households in the city are severely rent burdened, the governing body shall hold at least one public meeting to discuss the causes and consequences of severe rent burdens within the city, the barriers to reducing rent burdens and possible solutions.

(b) The Housing and Community Services Department may adopt rules governing the conduct of the public meeting required under this subsection.

(4) No later than February 1 of each year, the governing body of each city in this state with a population greater than 10,000 shall submit to the Department of Land Conservation and Development a report for the immediately preceding calendar year setting forth separately for each of the following categories the total number of units that were permitted and the total number that were produced:

- (a) Residential units.
- (b) Regulated affordable residential units.
- (c) Multifamily residential units.
- (d) Regulated affordable multifamily residential units.
- (e) Single-family *[units]* **homes.**
- (f) Regulated affordable single-family *[units]* **homes.**
- (g) Accessory dwelling units.**
- (h) Regulated affordable accessory dwelling units.**
- (i) Units of middle housing, as defined in section 2 of this 2019 Act.**
- (j) Regulated affordable units of middle housing.**

SECTION 9. ORS 455.610 is amended to read:

455.610. (1) The Director of the Department of Consumer and Business Services shall adopt, and amend as necessary, a Low-Rise Residential Dwelling Code that contains all requirements, including structural design provisions, related to the construction of residential dwellings three stories or less above grade. The code provisions for plumbing and electrical requirements must be compatible with other specialty codes adopted by the director. The Electrical and Elevator Board, the Mechanical Board and the State Plumbing Board shall review, respectively, amendments to the electrical, mechanical or plumbing provisions of the code.

(2) Changes or amendments to the code adopted under subsection (1) of this section may be made when:

- (a) Required by geographic or climatic conditions unique to Oregon;
- (b) Necessary to be compatible with other statutory provisions;
- (c) Changes to the national codes are adopted in Oregon; or
- (d) Necessary to authorize the use of building materials and techniques that are consistent with nationally recognized standards and building practices.

(3) Notwithstanding ORS 455.030, 455.035, 455.110 and 455.112, the director may, at any time following appropriate consultation with the Mechanical Board or Building Codes Structures Board,

amend the mechanical specialty code or structural specialty code to ensure compatibility with the Low-Rise Residential Dwelling Code.

(4) The water conservation provisions for toilets, urinals, shower heads and interior faucets adopted in the Low-Rise Residential Dwelling Code shall be the same as those adopted under ORS 447.020 to meet the requirements of ORS 447.145.

(5) The Low-Rise Residential Dwelling Code shall be adopted and amended as provided by ORS 455.030 and 455.110.

(6) The director, by rule, shall establish uniform standards for a municipality to allow an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code in areas where the local jurisdiction determines that the fire apparatus means of approach to a property or water supply serving a property does not meet applicable fire code or state building code requirements. The alternate method of construction, which may include but is not limited to the installation of automatic fire sprinkler systems, must be approved in conjunction with the approval of an application under ORS 197.522.

(7) For lots of record existing before July 2, 2001, or property that receives any approval for partition, subdivision or construction under ORS 197.522 before July 2, 2001, a municipality allowing an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code may apply the uniform standards established by the director pursuant to subsection (6) of this section. For property that receives all approvals for partition, subdivision or construction under ORS 197.522 on or after July 2, 2001, a municipality allowing an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code must apply the uniform standards established by the director pursuant to subsection (6) of this section.

(8) The director, by rule, shall establish uniform standards for a municipality to allow alternate approval of construction related to conversions of single-family dwellings into no more than four residential dwelling units built to the Low-Rise Residential Dwelling Code that received occupancy approval prior to January 1, 2020. The standards established under this subsection must include standards describing the information that must be submitted before an application for alternate approval will be deemed complete.

(9)(a) A building official described in ORS 455.148 or 455.150 must approve or deny an application for alternate approval under subsection (8) of this section no later than 15 business days after receiving a complete application.

(b) A building official who denies an application for alternate approval under this subsection shall provide to the applicant:

(A) A written explanation of the basis for the denial; and

(B) A statement that describes the applicant's appeal rights under subsection (10) of this section.

(10)(a) An appeal from a denial under subsection (9) of this section must be made through a municipal administrative process. A municipality shall provide an administrative process that:

(A) Is other than a judicial proceeding in a court of law; and

(B) Affords the party an opportunity to appeal the denial before an individual, department or body that is other than a plan reviewer, inspector or building official for the municipality.

(b) A decision in an administrative process under this subsection must be completed no later than 30 business days after the building official receives notice of the appeal.

(c) Notwithstanding ORS 455.690, a municipal administrative process required under this subsection is the exclusive means for appealing a denial under subsection (9) of this section.

(11) The costs incurred by a municipality under subsections (9) and (10) of this section are building inspection program administration and enforcement costs for the purpose of fee adoption under ORS 455.210.

SECTION 10. (1) It is the policy of the State of Oregon to reduce to the extent practicable administrative and permitting costs and barriers to the construction of middle housing, as defined in section 2 of this 2019 Act, while maintaining safety, public health and the general welfare with respect to construction and occupancy.

(2) The Department of Consumer and Business Services shall submit a report describing rules and standards relating to low-rise residential dwellings proposed under ORS 455.610, as amended by section 9 of this 2019 Act, in the manner provided in ORS 192.245, to an interim committee of the Legislative Assembly related to housing no later than January 1, 2020.

SECTION 11. Section 12 of this 2019 Act is added to and made a part of ORS 94.550 to 94.783.

SECTION 12. A provision in a governing document that is adopted or amended on or after the effective date of this 2019 Act, is void and unenforceable to the extent that the provision would prohibit or have the effect of unreasonably restricting the development of housing that is otherwise allowable under the maximum density of the zoning for the land.

SECTION 13. A provision in a recorded instrument affecting real property is not enforceable if:

(1) The provision would allow the development of a single-family dwelling on the real property but would prohibit the development of:

(a) Middle housing, as defined in section 2 of this 2019 Act; or

(b) An accessory dwelling unit allowed under ORS 197.312 (5); and

(2) The instrument was executed on or after the effective date of this 2019 Act.

SECTION 14. (1) Sections 2, 12 and 13 of this 2019 Act and the amendments to ORS 197.296, 197.303, 197.312 and 455.610 and section 1, chapter 47, Oregon Laws 2018, by sections 5 to 9 of this 2019 Act become operative on January 1, 2020.

(2) The Land Conservation and Development Commission, the Department of Consumer and Business Services and the Residential and Manufactured Structures Board may take any actions before the operative date specified in subsection (1) of this section necessary to enable the commission, department or board to exercise, on or after the operative date specified in subsection (1) of this section, the duties required under sections 2, 3 and 10 of this 2019 Act and the amendments to ORS 455.610 by section 9 of this 2019 Act.

SECTION 15. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Land Conservation and Development, for the biennium beginning July 1, 2019, out of the General Fund, the amount of \$3,500,000 for the purpose of providing technical assistance to local governments in implementing section 3 (1) of this 2019 Act and to develop plans to improve water, sewer, storm drainage and transportation services as described in section 4 (2) of this 2019 Act. The department shall prioritize technical assistance to cities or counties with limited planning staff or that commit to implementation earlier than the date required under section 3 (1) of this 2019 Act.

SECTION 16. This 2019 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect on its passage.

Passed by House June 20, 2019

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate June 30, 2019

.....
Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

.....
Bev Clarno, Secretary of State

Division 46 Middle Housing in Medium and Large Cities

Rules as adopted by the Land Conservation and Development Commission December 9, 2020

660-046-0000 Purpose

The purpose of this division is to prescribe standards guiding the development of Middle Housing types as provided in Oregon Laws 2019, chapter 639. OAR 660-046-0010 to OAR 660-046-0235 establish standards related to the siting and design of Middle Housing types in urban growth boundaries. OAR 660-046-0300 to OAR 660-046-0370 establish the form and substance of an application and the review process to delay the enactment of standards related to the siting and design of Middle Housing types in areas with significant infrastructure deficiencies.

660-046-0010 Applicability

1. A local government that is a Medium City or Large City must comply with this division.
2. Notwithstanding section (1), a Medium or Large City need not comply with this division for:
 - a. Lots or Parcels that are not zoned for residential use, including but not limited to Lots or Parcels zoned primarily for commercial, industrial, agricultural, or public uses;
 - b. Lots or Parcels that are Zoned For Residential Use but do not allow for the development of a detached single-family dwelling; and
 - c. Lots or Parcels that are not incorporated and that are zoned under an interim zoning designation that maintains the land's potential for planned urban development.
3. A Medium or Large City may regulate Middle Housing to comply with protective measures (including plans, policies, and regulations) adopted and acknowledged pursuant to statewide land use planning goals. Where Medium and Large Cities have adopted, or shall adopt, regulations implementing the following statewide planning goals, the following provisions provide direction as to how those regulations shall be implemented in relation to Middle Housing, as required by this rule.
 - a. Goal 5: Natural Resources, Scenic, and Historic Areas – OAR chapter 660, division 23, prescribes procedures, and in some cases, standards, for complying with Goal 5. OAR chapter 660, division 16 directed implementation of Goal 5 prior to division 23. Local protection measures adopted pursuant to divisions 23 and 16 are applicable to Middle Housing.
 - A. Goal 5 Natural Resources – Pursuant to OAR 660-023-0050 through 660-023-0110, Medium and Large Cities must adopt land use regulations to protect water quality, aquatic habitat, and the habitat of threatened, endangered and sensitive species. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 5.
 - i. Medium and Large Cities may apply regulations to Duplexes that apply to detached single-family dwellings in the same zone;
 - ii. Medium and Large Cities may limit the development of Middle Housing other than Duplexes in significant resource sites identified and protected pursuant to Goal 5; and
 - iii. If a Medium or Large City has not adopted land use regulations pursuant to OAR 660-023-0090, it must apply a 100-foot setback to Middle Housing developed along a riparian corridor.
 - B. Goal 5: Historic Resources – Pursuant to OAR 660-023-0200(7), Medium and Large Cities must adopt land use regulations to protect locally significant historic resources. This includes regulations applicable to Middle Housing to comply with protective measures as it relates to the integrity of a historic resource or district. Protective measures shall be adopted and applied as provided in OAR 660-023-0200. Medium and Large Cities may apply regulations adopted under OAR 660-023-0200 to Middle Housing that apply to detached single-family dwellings in the same zone, except as provided below. If a Medium or Large City has not adopted land use regulations to protect significant historic resources listed on the National Register of Historic Places, it must apply protective

measures to Middle Housing as provided in OAR 660-023-0200(8)(a) until the Medium or Large City adopts land use regulations in compliance with OAR 660-023-0200. Medium or Large Cities may not apply the following types of regulations specific to Middle Housing:

- i. Use, density, and occupancy restrictions that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings; and
 - ii. Standards that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings.
- b. Goal 6: Air, Water and Land Resources Quality – Pursuant to OAR 660-015-0000(6), a Medium or Large City may limit development within an urban growth boundary to support attainment of federal and state air, water, and land quality requirements. Medium and Large Cities may apply regulations adopted pursuant to Goal 6 to the development of Middle Housing.
- c. Goal 7: Areas Subject to Natural Hazards – Pursuant to OAR 660-015-0000(7), Medium and Large Cities must adopt comprehensive plans (inventories, policies, and implementing measures) to reduce risk to people and property from natural hazards. Such protective measures adopted pursuant to Goal 7 apply to Middle Housing, including, but not limited to, restrictions on use, density, and occupancy in the following areas:
 - A. Special Flood Hazard Areas as identified on the applicable Federal Emergency Management Agency Flood Insurance Rate Map; and
 - B. Other hazard areas identified in an adopted comprehensive plan or development code; provided the Medium or Large City determines that the development of Middle Housing presents a greater risk to life or property than the development of detached single-family dwellings from the identified hazard. Greater risk includes but is not limited to actions or effects such as:
 - i. Increasing the number of people exposed to a hazard;
 - ii. Increasing risk of damage to property, built, or natural infrastructure; and
 - iii. Exacerbating the risk by altering the natural landscape, hydraulics, or hydrology.
- d. Goal 9: Economic Development - Pursuant to OAR 660-009-0025, Medium and Large Cities must adopt measures adequate to implement industrial and other employment development policies, including comprehensive plan designations. Medium and Large Cities may limit the development of Middle Housing on Lots or Parcels Zoned For Residential Use designated for future industrial or employment uses.
- e. Goal 11: Public Facilities and Services - Pursuant to OAR 660-011-0020(2), a public facility plan must identify significant public facility projects which are to support the land uses designated in the acknowledged comprehensive plan. This includes public facility projects to support the development of Middle Housing in areas zoned for residential use that allow for the development of detached single-family dwellings. Following adoption of Middle Housing allowances by a Large City, the Large City shall work to ensure that infrastructure serving undeveloped or underdeveloped areas, as defined in OAR 660-046-0320(8), where Middle Housing is allowed is appropriately designed and sized to serve Middle Housing.
- f. Goal 15: Willamette Greenway – Pursuant to OAR 660-015-0005, Medium and Large Cities must review intensifications, changes of use or developments to insure their compatibility with the Willamette River Greenway. Medium and Large Cities may allow and regulate the development of Middle Housing in the Willamette Greenway, provided that applicable regulations adopted pursuant to Goal 15 comply with ORS 197.307.
- g. Goal 16: Estuarine Resources – Pursuant to OAR 660-015-0010(1) and OAR chapter 660, division 17, Medium and Large Cities must apply land use regulations that protect the estuarine ecosystem, including its natural biological productivity, habitat, diversity, unique features and water quality. Medium and Large Cities may prohibit Middle Housing in areas regulated to

- protect estuarine resources under Goal 16 in the same manner as the Medium or Large City prohibits detached single-family dwellings to protect estuarine resources under Goal 16.
- h. Goal 17: Coastal Shorelands – Pursuant to OAR 660-015-0010(2) and OAR 660-037-0080, local governments must apply land use regulations that protect shorelands for water-dependent recreational, commercial, and industrial uses. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 17. Local governments may apply regulations to Middle Housing that apply to detached single-family dwellings in the same zone.
 - i. Goal 18: Beaches and Dunes – Pursuant to OAR 660-015-0010(3), Medium and Large Cities must apply land use regulations to residential developments to mitigate hazards to life, public and private property, and the natural environment in areas identified as Beaches and Dunes under Goal 18. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 18 including but not limited to restrictions on use, density, and occupancy; provided the development of Middle Housing presents a greater risk to life or property than development of detached single-family dwellings. Greater risk includes but is not limited to actions or effects such as:
 - A. Increasing the number of people exposed to a hazard;
 - B. Increasing risk of damage to property, built or natural infrastructure; and
 - C. Exacerbating the risk by altering the natural landscape, hydraulics, or hydrology.
4. For the purposes of assisting local jurisdictions in adopting reasonable siting and design standards for Middle Housing, the applicable Model Code adopted in this section will be applied to A Local Government That Has Not Acted to comply with the provisions of ORS 197.758 and this division. For such Medium and Large Cities, the applicable Model Code completely replaces and pre-empts any provisions of those Medium and Large Cities’ development codes that conflict with the Model Code. The Land Conservation and Development Commission adopts the following Middle Housing Model Codes:
 - a. The Medium City Model Code as provided in Exhibit A; and
 - b. The Large City Model Code as provided in Exhibit B.
 5. This division does not prohibit Medium or Large Cities from allowing:
 - a. Single-family dwellings in areas zoned to allow for single-family dwellings; or
 - b. Middle Housing in areas not required under this division.

660-046-0020 Definitions

As used in this division, the definitions in ORS 197.015 and ORS 197.758 et seq. apply, unless the context requires otherwise. In addition, the following definitions apply:

1. “A Local Government That Has Not Acted” means a Medium or Large City that has not adopted acknowledged land use regulations that are in compliance with ORS 197.758 and this division.
2. “Cottage Cluster” means a grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard. A Medium or Large City may allow Cottage Cluster units to be located on a single Lot or Parcel, or on individual Lots or Parcels.
3. “Department” means the Department of Land Conservation and Development.
4. “Design Standard” means a standard related to the arrangement, orientation, materials, appearance, articulation, or aesthetic of features on a dwelling unit or accessory elements on a site. Design standards include, but are not limited to, standards that regulate entry and dwelling orientation, façade materials and appearance, window coverage, driveways, parking configuration, pedestrian access, screening, landscaping, and private, open, shared, community, or courtyard spaces.
5. “Detached single-family dwelling” means a detached structure on a Lot or Parcel that is comprised of a single dwelling unit.
6. “Duplex” means two attached dwelling units on a Lot or Parcel. A Medium or Large City may define a Duplex to include two detached dwelling units on a Lot or Parcel.
7. “Goal Protected Lands” means lands protected or designated pursuant to any one of the following statewide planning goals:
 - a. Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces;

- b. Goal 6 Air, Water and Land Resource Quality;
 - c. Goal 7 Areas Subject to Natural Hazards;
 - d. Goal 9 Economic Development;
 - e. Goal 15 Willamette River Greenway;
 - f. Goal 16 Estuarine Resources;
 - g. Goal 17 Coastal Shorelands; and
 - h. Goal 18 Beaches and Dunes.
8. "Large City" means a city with a certified Portland State University Population Research Center estimated population of 25,000 or more or a city with a population over 1,000 within a metropolitan service district. A Large City includes unincorporated areas of counties within a metropolitan service district that are provided with sufficient urban services as defined in ORS 195.065. Sufficient urban services means areas that are within an urban service district boundary.
 9. "Lot or Parcel" means any legally created unit of land.
 10. "Master Planned Community" means a site that is any one of the following:
 - a. Greater than 20 acres in size within a Large City or adjacent to the Large City within the urban growth boundary that is zoned for or proposed to be Zoned For Residential Use, and which is not currently developed with urban residential uses, for which a Large City proposes to adopt, by resolution or ordinance, a master plan or a plan that functions in the same manner as a master plan;
 - b. Greater than 20 acres in size within a Large City or adjacent to the Large City within the urban growth boundary for which a Large City adopted, by resolution or ordinance, a master plan or a plan that functions in the same manner as a master plan after the site was incorporated into the urban growth boundary; or
 - c. Added to the Large City's urban growth boundary after January 1, 2021 for which the Large City proposes to adopt, by resolution or ordinance, a master plan or a plan that functions in the same manner as a master plan.
 11. "Medium City" means a city with a certified Portland State University Population Research Center estimated population more than 10,000 and less than 25,000 and not within a metropolitan service district.
 12. "Middle Housing" means Duplexes, Triplexes, Quadplexes, Cottage Clusters, and Townhouses.
 13. "Model Code" means the applicable Model Code developed by the Department and contained in the exhibits in OAR 660-046-0010(4).
 14. "Quadplex" means four attached dwelling units on a Lot or Parcel. A Large City may define a Quadplex to include any configuration of four detached or attached dwelling units on one Lot or Parcel.
 15. "Siting Standard" means a standard related to the position, bulk, scale, or form of a structure or a standard that makes land suitable for development. Siting standards include, but are not limited to, standards that regulate perimeter setbacks, dimensions, bulk, scale, coverage, minimum and maximum parking requirements, utilities, and public facilities.
 16. "Sufficient Infrastructure" means the following level of public services to serve new Triplexes, Quadplexes, Townhouses, or Cottage Cluster development:
 - a. Connection to a public sewer system capable of meeting established service levels.
 - b. Connection to a public water system capable of meeting established service levels.
 - c. Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system.
 - d. Storm drainage facilities capable of meeting established service levels for storm drainage.
 17. "Townhouse" means a dwelling unit that is part of a row of two or more attached dwelling units, where each unit is located on an individual Lot or Parcel and shares at least one common wall with an adjacent dwelling unit.
 18. "Townhouse Project" means one or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the Townhouse property lines and the any commonly owned property.
 19. "Triplex" means three attached dwelling units on a Lot or Parcel. A Large City may define a Triplex to include any configuration of three detached or attached dwelling units on one Lot or Parcel.

20. “Zoned for Residential Use” means a zoning district in which residential dwellings are the primary use and which implements a residential comprehensive plan map designation.

660-046-0030 Implementation of Middle Housing Ordinances

1. Before a Medium or Large City amends an acknowledged comprehensive plan or a land use regulation to allow Middle Housing, the Medium or Large City must submit the proposed change to the Department for review and comment pursuant to OAR chapter 660, division 18.
2. In adopting or amending regulations or amending a comprehensive plan to allow Middle Housing, a Medium or Large City must include findings demonstrating consideration, as part of the post-acknowledgement plan amendment process, of methods to increase the affordability of Middle Housing through ordinances or policies that include but are not limited to:
 - a. Waiving or deferring system development charges;
 - b. Adopting or amending criteria for property tax exemptions under ORS 307.515 to ORS 307.523, ORS 307.540 to ORS 307.548 or ORS 307.651 to ORS 307.687 or property tax freezes under ORS 308.450 to ORS 308.481; and
 - c. Assessing a construction tax under ORS 320.192 and ORS 320.195.
3. When a Medium or Large City amends its comprehensive plan or land use regulations to allow Middle Housing, the Medium or Large City is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

660-046-0040 Compliance

1. A Medium or Large City may adopt land use regulations or amend its comprehensive plan to comply with ORS 197.758 et seq. and the provisions of this division.
2. A Medium or Large City may request from the Department an extension of the time allowed to complete the action under subsection (1) pursuant to the applicable sections of OAR 660-046-0300 through OAR 660-046-0370.
3. A Medium City which is A Local Government That Has Not Acted by June 30, 2021 or within one year of qualifying as a Medium City pursuant to OAR 660-046-0050 and has not received an extension under section (2), shall directly apply the applicable Model Code contained in OAR 660-046-0010(4) in its entirety to all proposed Middle Housing development applications until such time as the Medium City has adopted provisions under section (1).
4. A Large City which is A Local Government That Has Not Acted by June 30, 2022 or within two years of qualifying as a Large City pursuant to OAR 660-046-0050 and has not received an extension under section (2), shall directly apply the applicable Model Code contained in OAR 660-046-0010(4) for the specific Middle Housing type that is not in compliance with the relevant rules in this division to all proposed development applications for that specific Middle Housing type until such time as the Large City has adopted provisions under section (1).
5. If a Medium or Large City has adopted land use regulations or amended its comprehensive plan by the date provided under sections (3) and (4) and the Medium or Large City’s land use regulations or comprehensive plan changes are subsequently remanded by the Land Use Board of Appeals or an appellate court solely on procedural grounds, the Medium or Large City is deemed to have acted. Accordingly, the Medium or Large City may continue to apply its own land use regulations and comprehensive plan as they existed prior to the adoption of land use regulations or comprehensive plan amendments that were the subject of procedural remand until the first of the two options:
 - a. The Medium or Large City has adopted land use regulations or amended its comprehensive plan in response to the remand; or
 - b. 120 days after the date of the remand. If the Medium or Large City has not adopted land use regulations or amended its comprehensive plan within 120 days of the date of the remand, the Medium or Large City is deemed not to have acted under sections (3) and (4).
6. If a Medium or Large City has adopted land use regulations or amended its comprehensive plan by the date provided under sections (3) and (4) and the Medium or Large city’s land use regulations or comprehensive plan changes are subsequently remanded by the Land Use Board of Appeals or an

appellate court on any substantive grounds, the Medium or Large City is deemed to have not acted under sections (3) and (4).

7. If a Medium or Large City acknowledged to be in compliance with this division subsequently amends its land use regulations or comprehensive plan, and those amendments are remanded by the Land Use Board of Appeals or an appellate court, the Medium or Large City shall continue to apply its land use regulations and comprehensive plan as they existed prior to the amendments until the amendments are acknowledged.
8. Where a Medium or Large City directly applies the Model Code in accordance with sections (3), (4) and (5), the Model Code completely replaces and pre-empts any provisions of that Medium or Large City's development code that conflict with the applicable sections of the Model Code.

660-046-0050 Eligible Local Governments

1. If a local government was not previously a Medium City and a certified Portland State University Population Research Center population estimate qualifies it as a Medium City, the local government must comply with this division within one year of its qualification as a Medium City.
2. If a local government was not previously a Large City and a certified Portland State University Population Research Center population estimate qualifies it as a Large City, the local government must comply with this division within two years of its qualification as a Large City.

660-046-0100 Purpose of Middle Housing in Medium Cities

OAR 660-046-0105 through OAR 660-046-0130 are intended to measure compliance with ORS 197.758 et seq. and Goal 10 Housing for Medium Cities.

660-046-0105 Applicability of Middle Housing in Medium Cities

1. A Medium City must allow for the development of a Duplex, including those Duplexes created through conversion of an existing detached single-family dwelling, on each Lot or Parcel zoned for residential use that allows for the development of detached single-family dwellings.
2. OAR 660-046-0105 through OAR 660-046-0130 do not require a Medium City to allow more than two dwellings units on a Lot or Parcel, including any accessory dwelling units.

660-046-0110 Provisions Applicable to Duplexes in Medium Cities

1. Medium Cities may regulate Duplexes to comply with protective measures, including plans, policies and regulations, as provided in OAR 660-046-0010(3).
2. Medium Cities may regulate siting and design of Duplexes, provided that the regulations;
 - a. Are clear and objective standards, conditions, or procedures consistent with ORS 197.307; and
 - b. Do not, individually or cumulatively, discourage the development of Duplexes through unreasonable costs or delay.
3. Siting and design standards that create unreasonable cost and delay include any standards applied to Duplex development that are more restrictive than those applicable to detached single-family dwellings in the same zone.
4. Siting and design standards that do not, individually or cumulatively, discourage the development of Duplexes through unreasonable cost and delay include only the following:
 - a. Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);
 - b. Permitted uses and approval process provided in OAR 660-046-0115;
 - c. Siting standards provided in OAR 660-046-0120;
 - d. Design standards in Medium Cities provided in OAR 660-046-0125;
 - e. Duplex Conversions provided in OAR 660-046-0130; and
 - f. Any siting and design standards contained in the Model Code referenced in section OAR 660-046-0010(4).

660-046-0115 Permitted Uses and Approval Process

Medium Cities must apply the same approval process to Duplexes as detached single-family dwellings in the same zone. Pursuant to OAR 660-007-0015, OAR 660-008-0015, and ORS 197.307, Medium Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Duplexes. Nothing in this rule prohibits a Medium City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-007-0015(2), OAR 660-008-0015(2), and ORS 197.307(6).

660-046-0120 Duplex Siting Standards in Medium Cities

The following standards apply to all Duplexes:

1. Minimum Lot or Parcel Size: A Medium City may not require a minimum Lot or Parcel size that is greater than the minimum Lot or Parcel size required for a detached single-family dwelling in the same zone. Additionally, Medium Cities shall allow the development of a Duplex on any property zoned to allow detached single-family dwellings, which was legally created prior to the Medium City's current lot size minimum for detached single-family dwellings in the same zone.
2. Density: If a Medium City applies density maximums in a zone, it may not apply those maximums to the development of Duplexes.
3. Setbacks: A Medium City may not require setbacks to be greater than those applicable to detached single-family dwellings in the same zone.
4. Height: A Medium City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone.
5. Parking:
 - a. A Medium City may not require more than a total of two off-street parking spaces for a Duplex.
 - b. Nothing in this section precludes a Medium City from allowing on-street parking credits to satisfy off-street parking requirements.
6. Lot Coverage and Floor Area Ratio: Medium Cities are not required to apply lot coverage or floor area ratio standards to new Duplexes. However, if the Medium City chooses to apply lot coverage or floor area ratio standards, it may not establish a cumulative lot coverage or floor area ratio for a Duplex that is less than established for detached single-family dwelling in the same zone.
7. A Medium City or other utility service provider that grants clear and objective exceptions to public works standards to detached single-family dwelling development must allow the granting of the same exceptions to Duplexes.

660-046-0125 Duplex Design Standards in Medium Cities

1. Medium Cities are not required to apply design standards to new Duplexes. However, if the Medium City chooses to apply design standards to new Duplexes, it may only apply the same clear and objective design standards that the Medium City applies to detached single-family structures in the same zone.
2. A Medium City may not apply design standards to Duplexes created as provided in OAR 660-046-0130.

660-046-0130 Duplex Conversions

Additions to or conversion of an existing detached single-family dwelling to a Duplex is allowed, pursuant to OAR 660-046-0105(2), provided that the conversion does not increase nonconformance with applicable clear and objective standards in the Medium City's development code.

660-046-0200 Purpose of Middle Housing in Large Cities

OAR 660-046-0205 through OAR 660-046-0235 are intended to measure compliance with ORS 197.758 et seq. and Goal 10 Housing for Large Cities.

660-046-0205 Applicability of Middle Housing in Large Cities

1. A Large City must allow for the development of Duplexes in the same manner as required for Medium Cities in OAR 660-046-0100 through OAR 660-046-0130.

2. A Large City must allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through additions to or conversions of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings. A Large City may regulate or limit development of these types of Middle Housing on the following types of lands:
 - a. Goal-Protected Lands: Large Cities may regulate Middle Housing on Goal-Protected Lands as provided in OAR 660-046-0010(3);
 - b. Master Planned Communities: Large Cities may regulate or limit the development of Middle Housing in Master Planned Communities as follows:
 - A. If a Large City has adopted a master plan or a plan that functions in the same manner as a master plan after January 1, 2021, it must allow the development of all Middle Housing types as provided in OAR 660-046-0205 through OAR 660-046-0235.
 - i. A Large City must plan to provide urban water, sanitary sewer, stormwater, and transportation systems that accommodate at least 20 dwelling units per net acre if located within a metropolitan service district boundary, and 15 dwelling units per net acre if located outside of a metropolitan service district boundary.
 - ii. If a proposed Middle Housing development exceeds the planned public service capacity of a Master Plan, the Large City may require the applicant demonstrate, through an amended public facility plan or similar mechanism, the sufficient provision of public services needed to serve the proposed development.
 - iii. A Large City may require a mix of two or more Middle Housing types within a Master Plan or portions of a Master Plan.
 - iv. A Large City may designate areas within the master plan exclusively for other housing types, such as multi-family residential structures of five dwelling units or more or manufactured home parks.
 - B. If a Large City has adopted a master plan or a plan that functions in the same manner as a master plan before January 1, 2021, it may limit the development of Middle Housing other than Duplexes provided it authorizes in the entire master plan area a net residential density of at least eight dwelling units per acre and allows all dwelling units, at minimum, to be detached single-family dwellings or Duplexes. A Large City may only apply this restriction to portions of the area not developed as of January 1, 2021, and may not apply this restriction after the initial development of any area of the master plan or a plan that functions in the same manner as a master plan, except that a Large City may prohibit redevelopment of other housing types, such as multi-family residential structures and manufactured home parks.
 - c. Impacted by State or Federal Law: A Large City must demonstrate that regulations or limitations of Middle Housing other than Duplexes are necessary to implement or comply with an established state or federal law or regulation on these types of lands.
3. A Large City may:
 - a. Allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through conversion of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings as provided in OAR 660-046-0205 through OAR 660-046-0235; or
 - b. Apply separate minimum lot size and maximum density provisions than what is provided in OAR 660-046-0220, provided that the applicable Middle Housing type other than Duplexes is allowed on the following percentage of Lots and Parcels zoned for residential use that allow for the development of detached single-family dwellings, excluding lands described in subsection (2):
 - A. Triplexes – Must be allowed on 80% of Lots and Parcels;
 - B. Quadplexes - Must be allowed on 70% of Lots and Parcels;
 - C. Townhouses - Must be allowed on 60% of Lots and Parcels; and
 - D. Cottage Clusters – Must be allowed on 70% of Lots and Parcels.

- E. A Middle Housing type is “allowed” on a Lot or Parcel when the following criteria are met:
 - i. The Middle Housing type is a permitted use on that Lot or Parcel under the same administrative process as a detached single-family dwelling in the same zone;
 - ii. The Lot or Parcel has sufficient square footage to allow the Middle Housing type within the applicable minimum lot size requirement;
 - iii. Maximum density requirements do not prohibit the development of the Middle Housing type on the subject Lot or Parcel; and
 - iv. The applicable siting or design standards do not individually or cumulatively cause unreasonable cost or delay to the development of that Middle Housing type as provided in OAR 660-046-0210(3).
 - F. A Large City must ensure the equitable distribution of Middle Housing by allowing, as defined in subsection (3)(b)(E) above, at least one Middle Housing type other than Duplexes and Cottage Clusters on 75 percent or more of all lots and parcels zoned for residential use that allow for the development of detached single-family dwellings within each census block group, with at least four eligible Lots and Parcels as described in subsection (2) of this section, within a Large City.
 - G. Large Cities must demonstrate continuing compliance with subsection (3)(b) at the following intervals:
 - i. At the initial submittal of a Middle Housing comprehensive plan or land use regulation change, in accordance with OAR Chapter 660, Division 18;
 - ii. At any future Housing Capacity Analysis Deadline as provided in OAR 660-008-0045, except that a demonstration of continuing compliance will not be required earlier than six years after initial adoption of acknowledged land use regulations in compliance with this division; and
 - iii. With any future comprehensive plan or land use regulation changes that implements this division, in accordance with OAR Chapter 660, Division 18, for Large Cities that are not subject to the Housing Capacity Analysis Deadline as provided in OAR 660-008-0045, except that a demonstration of continuing compliance will not be required more frequently than once every six years after initial adoption of acknowledged land use regulations in compliance with this division.
4. Pursuant to OAR 660-046-0205 through OAR 660-046-0230, the following numerical standards related to Middle Housing types apply:
- a. Duplexes – Large Cities may allow more than two dwellings units on a Lot or Parcel, including any accessory dwelling units.
 - b. Triplexes and Quadplexes – Large Cities may allow more than four dwelling units on a lot, including any accessory dwelling units.
 - c. Townhouses – Large Cities must require at least two attached Townhouse dwelling units and must allow up to four attached Townhouse units subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. A Large City may allow five or more attached Townhouse dwelling units.
 - d. Cottage Clusters –
 - A. A Large City is not required to set a minimum number of dwelling units in a Cottage Cluster, but if it chooses to, it may require a minimum of three, four, or five dwelling units in a Cottage Cluster. A Large City may allow, but may not require, greater than five units in a Cottage Cluster.
 - B. A Large City must allow up to eight cottages per common courtyard subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. Nothing in this section precludes a Large City from permitting greater than eight dwelling units per common courtyard.

660-046-0210 Provisions Applicable to Middle Housing in Large Cities

1. Large Cities may regulate Middle Housing to comply with protective measures, including plans, policies and regulations, as provided in OAR 660-046-0010(3).
2. Large Cities may regulate siting and design of Middle Housing, provided that the regulations;
 - a. Are clear and objective standards, conditions, or procedures consistent with the requirements of ORS 197.307; and
 - b. Do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable costs or delay.
3. Siting and design standards that do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable cost and delay include only the following:
 - a. Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);
 - b. Permitted uses and approval processes provided in OAR 660-046-0215;
 - c. Siting standards provided in OAR 660-046-0220;
 - d. Design standards in Large Cities provided in OAR 660-046-0225;
 - e. Middle Housing Conversions provided in OAR 660-046-0230;
 - f. Alternative siting or design standards provided in OAR 660-046-0235; and
 - g. Any siting and design standards contained in the Model Code referenced in section OAR 660-046-0010(4).

660-046-0215 Permitted Uses and Approval Process

Large Cities must apply the same approval process to Middle Housing as detached single-family dwellings in the same zone. Pursuant to OAR 660-008-0015 and ORS 197.307, Large Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Middle Housing consistent with the requirements of ORS 197.307. Nothing in this rule prohibits a Large City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-007-0015(2), OAR 660-008-0015(2), and ORS 197.307(6).

660-046-0220 Middle Housing Siting Standards in Large Cities

1. Large Cities must apply siting standards to Duplexes in the same manner as required for Medium Cities in OAR 660-046-0120.
2. The following governs Large Cities' regulation of siting standards related to Triplexes and Quadplexes:
 - a. Minimum Lot or Parcel Size:
 - A. For Triplexes:
 - i. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 5,000 square feet or less, the minimum Lot or Parcel size for a Triplex may be no greater than 5,000 square feet.
 - ii. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 5,000 square feet, the minimum Lot or Parcel size for a Triplex may be no greater than the minimum Lot or Parcel size for a detached single-family dwelling.
 - B. For Quadplexes:
 - i. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Quadplex may be no greater than 7,000 square feet.
 - ii. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Quadplex may be no greater than the minimum Lot or Parcel size for a detached single-family dwelling.
 - C. A Large City may apply a lesser minimum Lot or Parcel size in any zoning district for a Triplex or Quadplex than provided in paragraphs A. or B.

- b. Density: If a Large City applies density maximums in a zone, it may not apply those maximums to the development of Quadplex and Triplexes.
 - c. Setbacks: A Large City may not require setbacks greater than those applicable to detached single-family dwellings in the same zone.
 - d. Height: A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone, except a maximum height may not be less than 25 feet or two stories.
 - e. Parking:
 - A. For Triplexes, a Large City may require up to the following off-street parking spaces:
 - i. For Lots or Parcels of less than 3,000 square feet: one space in total;
 - ii. For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total; and
 - iii. For Lots or Parcels greater than or equal to 5,000 square feet: three spaces in total.
 - B. For Quadplexes, a Large City may require up to the following off-street parking spaces:
 - i. For Lots or Parcels of less than 3,000 square feet: one space in total;
 - ii. For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total;
 - iii. For Lots or Parcels greater than or equal to 5,000 square feet and less than 7,000 square feet: three spaces in total; and
 - iv. For Lots or Parcels greater than or equal to 7,000 square feet: four spaces in total.
 - C. A Large City may allow on-street parking credits to satisfy off-street parking requirements.
 - D. A Large City may allow, but may not require, off-street parking to be provided as a garage or carport.
 - E. A Large City must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone.
 - F. A Large City may not apply additional minimum parking requirements to Middle Housing created as provided in OAR 660-046-0230.
 - f. Lot or Parcel Coverage and Floor Area Ratio: Large Cities are not required to apply Lot or Parcel coverage or floor area ratio standards to Triplexes or Quadplexes. However, if the Large City applies Lot or Parcel coverage or floor area ratio standards, it may not establish a cumulative Lot or Parcel coverage or floor area ratio for Triplexes or Quadplexes that is less than established for detached single-family dwelling in the same zone.
 - g. A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Triplex or Quadplex development application.
3. The following governs Large Cities' regulation of siting standards related to Townhouses:
- a. Minimum Lot or Parcel Size: A Large City is not required to apply a minimum Lot or Parcel size to Townhouses, but if it applies those standards, the average minimum Lot or Parcel size for Lot or Parcels in a Townhouse Project may not be greater than 1,500 square feet. A Large City may apply separate minimum Lot or Parcel sizes for internal, external, and corner Townhouse Lots or Parcels provided that they average 1,500 square feet, or less.
 - b. Minimum Street Frontage: A Large City is not required to apply a minimum street frontage standard to Townhouses, but if it applies those standards, the minimum street frontage standard must not exceed 20 feet. A Large City may allow frontage on public and private streets or alleys; and on shared or common drives. If a Large City allows flag Lots or Parcels, it is not required to allow Townhouses on those Lots or Parcels.
 - c. Density: If a Large City applies density maximums in a zone, it must allow four times the maximum density allowed for detached single-family dwellings in the same zone for the development of Townhouses or 25 dwelling units per acre, whichever is less.

- d. Setbacks: A Large City may not require front, side, or rear setbacks to be greater than those applicable to detached single-family structures in the same zone and must allow zero-foot side setbacks for Lot or Parcel lines where Townhouse units are attached.
 - e. Height: A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone. If a Large City requires covered or structured parking for townhouses, the applicable height standards must allow construction of at least three stories. If a Large City does not require covered or structured parking, the applicable height standards must allow construction of at least two stories.
 - f. Parking:
 - A. A Large City may not require more than one off-street parking space per Townhouse dwelling unit.
 - B. Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.
 - C. A Large City must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone.
 - g. Bulk and Scale: A Large City is not required to apply standards to control bulk and scale to new Townhouses. However, if a Large City chooses to regulate scale and bulk, including but not limited to provisions including Lot or Parcel coverage, floor area ratio, and maximum unit size, those standards cannot cumulatively or individually limit the bulk and scale of the cumulative Townhouse Project greater than that of a single-family detached dwelling.
 - h. A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Townhouse development application.
4. The following governs Large Cities' regulation of siting standards related to Cottage Clusters:
- a. Minimum Lot or Parcel Size: A Large City is not required to apply minimum Lot or Parcel size standards to new Cottage Clusters. However, if a Large City applies standards to regulate minimum Lot or Parcel size for Cottage Clusters on a single Lot or Parcel, the following provisions apply:
 - A. If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Cottage Cluster may be no greater than 7,000 square feet.
 - B. If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Cottage Cluster may not be greater than the minimum Lot or Parcel size for a detached single-family dwelling.
 - b. Minimum Lot or Parcel Width: A Large City is not required to apply minimum Lot or Parcel width standards to Cottage Clusters. However, if a Large City applies standards to regulate minimum Lot or Parcel width for to Cottage Clusters, it may not require a minimum Lot or Parcel width that is greater than the standard for a single-family detached dwelling in the same zone.
 - c. Density: A Large City may not apply density maximums to the development of Cottage Clusters. A Cottage Cluster development must meet a minimum density of at least four units per acre.
 - d. Setbacks: A Large City may not require perimeter setbacks to be greater than those applicable to detached single-family dwellings in the same zone. Additionally, perimeter setbacks applicable to Cottage Cluster dwelling units may not be greater than ten feet. The minimum distance between structures may not be greater than what is required by applicable building code requirements or 10 feet.
 - e. Dwelling Unit Size: A Large City may limit the minimum or maximum size of dwelling units in a Cottage Cluster, but must apply a maximum building footprint of 900 square feet per dwelling unit. A Large City may exempt up to 200 square feet in the calculation of dwelling unit footprint for an attached garage or carport. A Large City may not include detached garages, carports, or accessory structures in the calculation of dwelling unit footprint.
 - f. Parking:

- A. A Large City may not require more than one off-street parking space per dwelling unit in a Cottage Cluster.
 - B. A Large City may allow but may not require off-street parking to be provided as a garage or carport.
 - C. Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.
- g. Lot or Parcel Coverage and Floor Area Ratio: A Large City may not apply Lot or Parcel coverage or floor area ratio standards to Cottage Clusters.
 - h. Nothing in this division precludes a Large City from allowing Cottage Cluster dwelling units on individual Lots or Parcels within the Cottage Cluster development.
 - i. A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Cottage Cluster development application.

660-046-0225 Middle Housing Design Standards in Large Cities

1. A Large City is not required to apply design standards to Middle Housing. However, if a Large City chooses to apply design standards to Middle Housing, it may only apply the following:
 - a. Design standards in the Model Code for Large Cities in OAR 660-046-0010(4)(b);
 - b. Design standards that are less restrictive than those in the Model Code for Large Cities in OAR 660-046-0010(4)(b);
 - c. The same clear and objective design standards that the Large City applies to detached single-family structures in the same zone. Design standards may not scale by the number of dwelling units or other features that scale with the number of dwelling units, such as primary entrances. Design standards may scale with form-based attributes, including but not limited to floor area, street-facing façade, height, bulk, and scale; or
 - d. Alternative design standards as provided in OAR 660-046-0235.
2. A Large City may not apply design standards to Middle Housing created as provided in OAR 660-046-0230.

660-046-0230 Middle Housing Conversions

1. Additions to, or conversions of, an existing detached single-family dwelling into Middle Housing is allowed in Large Cities pursuant to OAR 660-046-0205(2), provided that the addition or conversion does not increase nonconformance with applicable clear and objective standards, unless increasing nonconformance is otherwise permitted by the Large City's development code.
2. If Middle Housing is created through the addition to, or conversion of, an existing single-family detached dwelling, a Large City or other utility service provider that grants clear and objective exceptions to public works standards to detached single-family dwelling development must allow the granting of the same exceptions to Middle Housing.
3. A preexisting detached single-family dwelling may remain on a Lot or Parcel with a Cottage Cluster as described below:
 - a. The preexisting single-family dwelling may be nonconforming with respect to the requirements of the applicable code;
 - b. The preexisting single-family dwelling may be expanded up to the maximum height, footprint, or unit size required by the applicable code; however, a preexisting single-family dwelling that exceeds the maximum height, footprint, or unit size of the applicable code may not be expanded;
 - c. The preexisting single-family dwelling shall count as a unit in the Cottage Cluster;
 - d. The floor area of the preexisting single-family dwelling shall not count towards any Cottage Cluster average or Cottage Cluster project average or total unit size limits; or
 - e. A Large City may apply a time limit on the conversion of a single-family dwelling to a Cottage Cluster not to exceed five years.

660-046-0235 Alternative Siting or Design Standards

A Large City may adopt Siting or Design Standards not authorized by OAR 660-046-0220 or OAR 660-046-0225 as allowed under subsection (1) below if the city can demonstrate that it meets the applicable criteria laid out in either subsection (1) below. Siting or Design standards do not include minimum Lot or Parcel size and maximum density requirements.

1. A Large City must submit to the Department findings and analysis demonstrating that the proposed standard or standards will not, individually or cumulatively, cause unreasonable cost or delay to the development of Middle Housing. To demonstrate that, the Large City must consider how a standard or standards, individually and cumulatively, affect the following factors in comparison to what is would otherwise be required under OAR 660-046-0220 or OAR 660-046-0225:
 - a. The total time and cost of construction, including design, labor, and materials;
 - b. The total cost of land;
 - c. The availability and acquisition of land, including areas with existing development;
 - d. The total time and cost of permitting and fees required to make land suitable for development;
 - e. The cumulative livable floor area that can be produced; and
 - f. The proportionality of cumulative time and cost imposed by the proposed standard(s) in relationship to the public need or interest the standard(s) fulfill.

Proposed Amendments to the McMinnville Municipal Code – New Chapter

Chapter 17.11 RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS (as adopted per Ordinance XXXX, June XX, 2022)

Sections:

17.11.010	Purpose
17.11.011	Applicability
17.11.012	Introduction to Housing Types
17.11.013	Zoning Table of Allowed Housing Types
17.11.014	Definition of Housing Types
17.11.015	Introduction to Development Standards Tables
17.11.020	Tiny Houses
17.11.030	Cottage Clusters
17.11.040	Accessory Dwelling Units
17.11.050	Single Detached Houses
17.11.060	Plexes
17.11.070	Townhouses
17.11.080	Single Room Occupancy
17.11.090	Apartments
17.11.100	Residential Universal Design Standards
17.11.110	Planned Development Residential Design and Development Standards

17.11.010 Purpose. This chapter provides residential development and design standards for all housing types permitted in McMinnville’s residential and commercial zones.

The purpose of this chapter is to permit a wide variety of housing types while maintaining the character and values of McMinnville. These housing types provide greater options for the community and help implement the City’s vision for housing, including the Great Neighborhood Principles.

The proposed housing types range in size, affordability, and configurations, including attached and detached dwellings. The development standards for each housing type were calibrated specifically for McMinnville.

This chapter is divided into individual housing types with their associated development standards and universal design standards that apply to all housing types.

17.11.011 Applicability. The residential design and development standards in this chapter are applicable to all new housing construction, residential conversions, and new additions that comprise 50% or more of the structure.

17.11.012 Introduction to Housing Types

- A. A housing type is not a use category. It describes a type of development that can contain a residential use.
- B. A list of allowed, limited, and prohibited housing types in residential and commercial zones is provided in 17.11.013. Terms and abbreviations used are defined as follows:
 - 1. Yes, allowed (Y). Housing types that are allowed.
 - 2. Limited (L). Housing types that require a conditional use approval or are allowed subject to specific limitations.
 - 3. No, prohibited (N). Housing types that are not allowed under any circumstance.
- C. Housing types that are allowed or allowed on a limited basis are subject to the standards and provisions of the applicable development standards chapter, which is indicated in parentheses in the first column of the Housing Types Table in 17.11.013.
- D. All allowed housing types may be built on-site or brought to the site as a manufactured home.

17.11.013 Zoning Table of Allowed Housing Types. The table below depicts what housing type is allowed in each zone.

Housing Types	R-1	R-2	R-3	R-4	R-5	O-R	C-1	C-2	C-3
Tiny Houses (17.11.020)	Y	Y	Y	Y	N	Y	N	N	N
Cottage Clusters (17.11.030)	Y	Y	Y	Y	N	Y	N	N	N
Accessory Dwelling Units (17.11.040)	Y	Y	Y	Y	N	Y	N	N	L
Single Detached Houses (17.11.050)	Y	Y	Y	Y	N	Y	N	N	L
Plexes (17.11.060)	Y	Y	Y	Y	N	Y	N	N	L
Townhouse (17.11.070)	Y	Y	Y	Y	N	Y	N	N	L
Single Room Occupancy - Small Housing (17.11.080)	Y	Y	Y	Y	N	Y	N	N	L
Single Room Occupancy - Large Housing (17.11.080)	N	N	N	Y	Y	Y	N	N	Y
Apartments (All Apartment Types) (17.11.090)	N	N	N	L	Y	L	N	N	Y

Y = Yes, Allowed

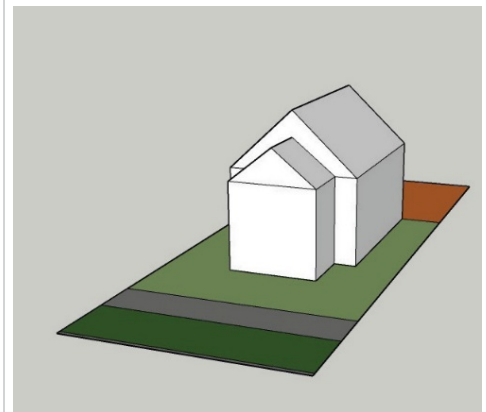
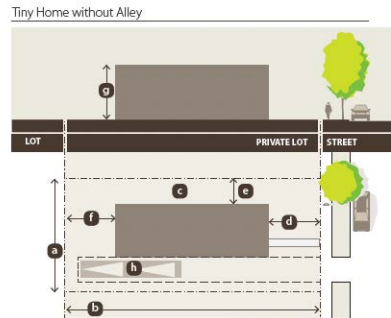
L = Limited, (see footnotes in housing types development standards tables)

N = No, Prohibited

17.11.014 Definition of Housing Types

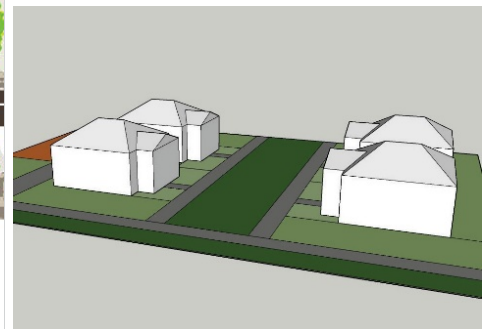
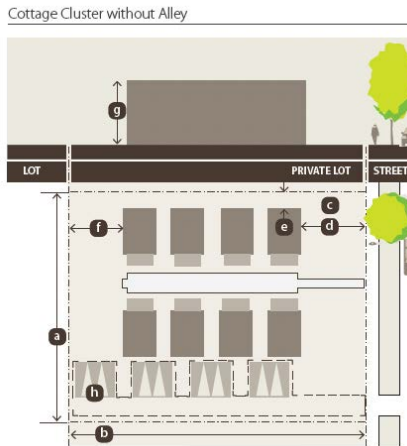
Tiny House

A Tiny House is a small permanent detached unit no more than 400 square feet.



Cottage Clusters

A grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard; Cottage Cluster units may be located on a single Lot or Parcel, or on individual Lots or Parcels.



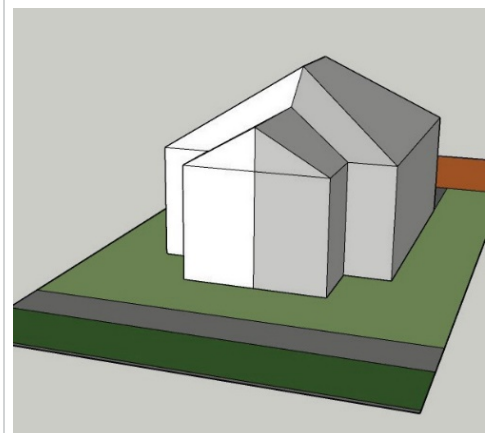
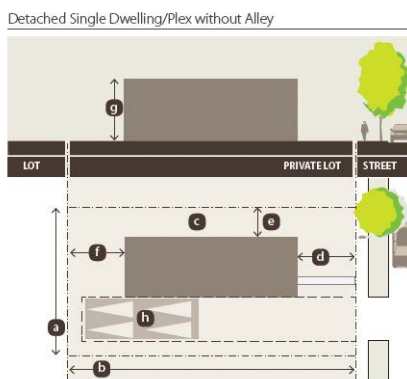
Plexes

Plexes include duplexes (two units), triplexes (three units), and quadplexes (four units).

Duplex: Two dwelling units on a single lot, may be attached or detached.

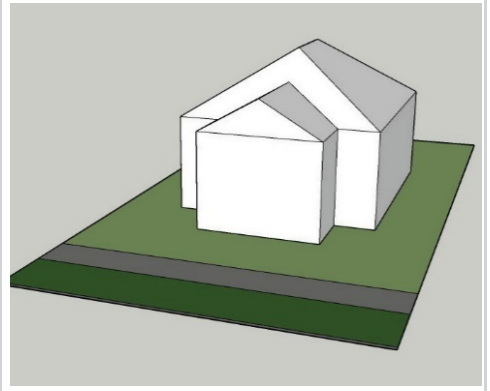
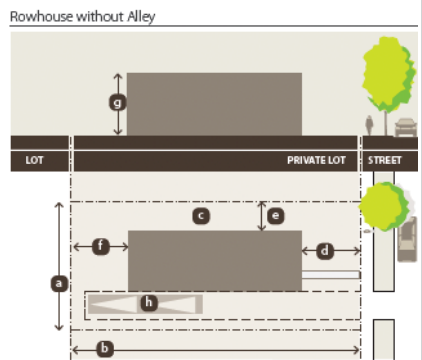
Triplex: Three dwelling units on a single lot, may be attached or detached, or a mix.

Quadplex: Four dwelling units on a single lot, may be attached or detached, or a mix.



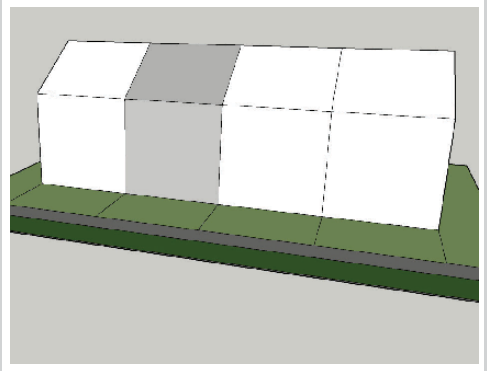
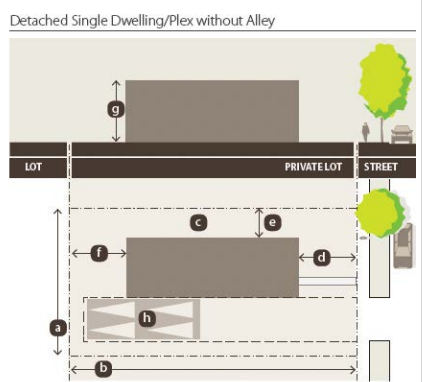
Single Dwelling

A detached building containing one dwelling unit. Single dwelling standards apply to units that are larger than 400 square feet.



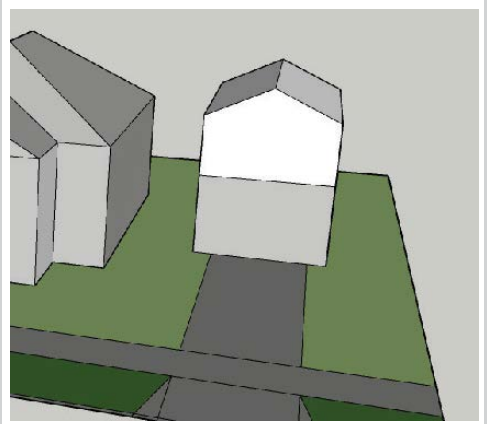
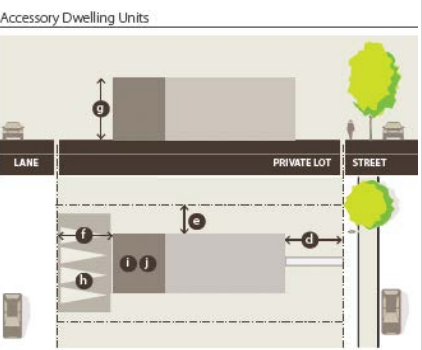
Townhouse

A dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least 25 percent of the length of the side of the building. The shared or abutting walls may be any wall of the buildings, including the walls of attached garages. Each dwelling unit has its own external entrance.



Accessory Dwelling Unit (ADU)

An ADU is a secondary, self-contained single-dwelling unit that may be allowed only in conjunction with a single-dwelling. An accessory dwelling unit is subordinate in size, location, and appearance to the primary single-dwelling. An accessory dwelling unit may be located within, attached to or detached from the primary single dwelling.



Single Resident Occupancy (SRO)

An SRO Housing Development is development of a site with two or more SRO Living Units and shared common areas and common facilities, including sanitary and/or food preparation areas, in one or more buildings on the site. All of the facilities for daily housekeeping, including living, sleeping, sanitation (toilet and bathing), dining, and food preparation are provided for the SRO Housing Development as a whole, subject to the standards provided in the Zoning Ordinance.



Apartments

(In order of density: Most dense to least dense)

Apartment Block

Stacked dwelling units in a single building or groups of buildings on a single lot. Parking is shared, and entrance to units is typically accessed through a shared lobby.



Apartment Block

Density Range:
Context: City center



Medium Apartment Block

Density Range:
Context: City center and along major streets served by transit



Small Apartment Block

Density Range:
Context: At the edges of low and medium density residential neighborhoods

Walk-Up Apartment

Buildings are limited to three stories, and consist of about four to 12 dwelling units each, accessible from a single open air stair. Individual apartment buildings are arranged around common open space and shared parking areas.



Single Walk-up

Density Range:
Context: At the edges of low density residential neighborhoods and along major streets

Courtyard Apartment

Attached dwelling units arranged around a courtyard, each with its own entry or other access off of the courtyard.



2-3 Story Courtyard

Density Range:

Context: City center, low and mid-density residential neighborhoods



Single Story Courtyard

Density Range:

Context: May be integrated into low density residential neighborhoods

17.11.015 Introduction to Development Standards Tables

- A. Each housing type has a development standards table. The table has information about minimum lot sizes, setbacks, height limitations, parking, and other relevant standards.
- B. The tables are set up to provide development standards for the housing type if used as part of a planned development, with alleys and without alleys, as well as part of a subdivision or infill in a subdivision.
- C. Development standards vary depending on the above conditions, mostly due to parking. Lot widths for homes without an alley tend to be wider to accommodate space for a driveway. Lots for homes with an alley can be narrower in width because parking is permitted directly off of the alley.
- D. The development standards for lots with or without an alley are applicable to planned developments per Chapter 17.51 of the McMinnville Municipal Code.
- E. The development standards for infill are required to match those of the existing zoning and adjacent lots.

17.11.020 Tiny Houses

- A. Characteristics. A Tiny House is a small permanent detached dwelling unit no more than 400 square feet. Because tiny houses are substantially smaller than a typical single dwelling, they may provide a less expensive homeownership product than a larger single dwelling house.
- B. Guiding Principles. Tiny houses should each have their own private open space and be situated similarly to single dwellings by facing the primary adjacent street. Tiny houses grouped in a cluster on a single lot should follow the standards and guidelines of a Cottage Cluster.
- C. Development Standards. Please see Table 1 below.

TABLE 1. TINY HOUSE DEVELOPMENT STANDARDS

	PLANNED DEVELOPMENT		SUBDIVISION
	WITH ALLEY	WITHOUT ALLEY	SUBDIVISION / INFILL ⁽⁴⁾
a) Lot width (feet)	Min. 25	Min. 40	Match existing zone, subdivision, or Planned Development overlay district.
b) Lot depth (feet)	Min. 55	Min. 60	
c) Lot size (square feet)	Min. 1,400	Min. 2,100	
d) Front setback (feet)	Min. 10 ⁽¹⁾ or 15	Min. 15	
e) Side setback (feet)	Interior: Min. 3 ⁽²⁾ or 5 Exterior: 10	Interior: Min. 3 ⁽²⁾ or 5 Exterior: 10	
f) Rear setback (feet)	0 with garage, 20 without garage ⁽³⁾	Min. 20	
g) Building height (feet)	Max. 25	Max. 25	
h) Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
i) Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
j) Minimum Off-Street Parking	One parking space per dwelling unit		
k) Universal Design Standards and Planned Development Standards that apply	Street frontage Front yard Alleys Compatibility Façade Parking Planned Development Standards: Usable Side Yard, Through Block, and Corner Common Greens		

⁽¹⁾ Must meet all requirements of Universal Design Standards: Front Yard (Type2) Urban Type

⁽²⁾ Must meet all requirements of Usable Side Yard Subdivision standards.

⁽³⁾ From alley property or easement line.

⁽⁴⁾ Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

Figure 1. Tiny House without Alley

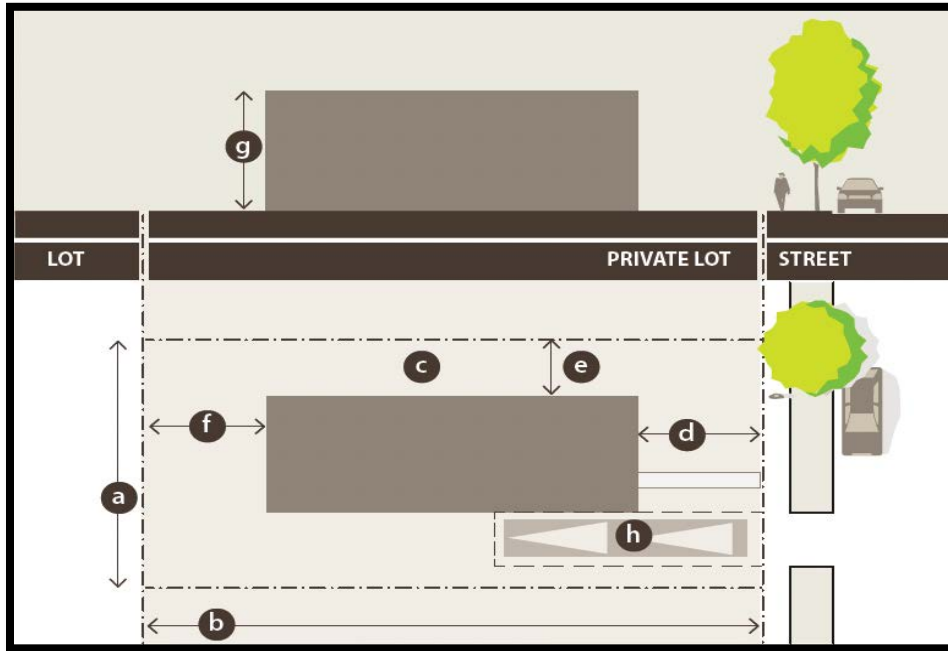
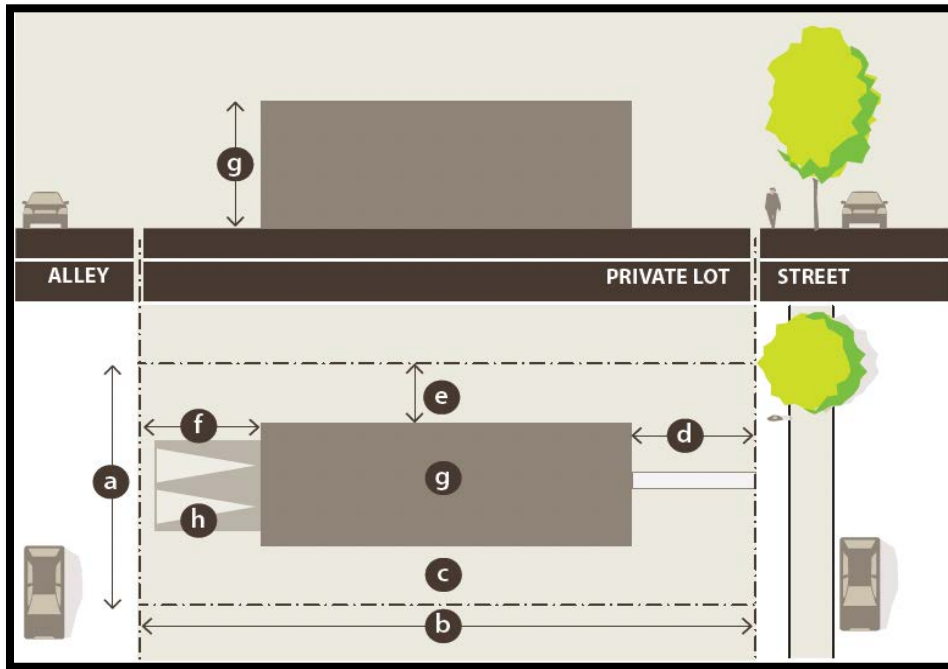


Figure 2. Tiny House with Alley



17.11.030 Cottage Cluster

- A. **Characteristics.** Cottage clusters are groups of four to eighteen detached dwelling units that are of smaller size than the typical single detached house. A grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard; Cottage cluster units may be located on a single Lot or Parcel, or on individual Lots or Parcels. Given their small footprint and low profile, cottages may provide an alternative housing option that fits seamlessly into detached low density residential neighborhoods.
- B. **Guiding Principles.**
1. Shared open space should be provided and located so that it serves as a central feature of the cluster of dwellings.
 2. Layer zones of landscaping to create a gradual transition from the commonly owned green to the privately-owned garden and porch of individual dwellings.
 3. Spacing between cottage cluster housing units shall meet applicable building code requirements.
- C. **Development Standards.** Please see Table 1 below.

Table 1. COTTAGE CLUSTER DEVELOPMENT STANDARDS			
	PLANNED DEVELOPMENT		SUBDIVISION
	WITH ALLEY	WITHOUT ALLEY	SUBDIVISION / INFILL⁽⁴⁾
a) Lot width (feet)	Min. 35	Min. 45	Match existing zone, subdivision, or Planned Development overlay district.
b) Lot depth (feet)	Min. 65	Min. 65	
c) Lot size (square feet)	Min. 7,000	Min. 7,000	
d) Front setback (feet)	Min. 10	Min. 10	Min. 10
e) Side setback (feet)	Interior: Min. 7.5 Exterior: 10	Interior: Min. 7.5 Exterior: 10	Interior: Min. 7.5 Exterior: Min. 10
f) Rear setback (feet)	0 with garage, 10 without garage. ⁽¹⁾	Min. 10	Min. 10
g) Building height (feet)	Max. 25 or two stories, whichever is greater	Max. 25 or two stories, whichever is greater	Max. 25 or two stories, whichever is greater
h) Building separation	6	6	10
i) Building footprint, maximum ⁽²⁾	900	900	900
j) Unit size, average (square feet) ⁽³⁾	1,400	1,400	1,400

k)	Parking Zone	For lots with an alley: Parking is required to be located accessed off adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
l)	Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
m)	Minimum Off-Street Parking	One off-street parking space per dwelling unit. Cottage Cluster developments utilize shared parking areas and a shared driveway limited to one driveway per street frontage.		
n)	Minimum number of units	4	4	4
o)	Maximum number of units	18	12	12
p)	Density, minimum	Four units per acre	Four units per acre	Four units per acre
q)	Universal Design Standards and Planned Development Standards that apply	Street frontage Front yard Alleys Private open space Common open space Compatibility Façade Parking Planned Development Standards: Usable Side Yard, Through Block, and Corner Common Greens		

(1) From alley property or easement line.

(2) May exempt up to 200 square feet in the calculation of dwelling unit footprint for an attached garage or carport. May not include detached garages, carports, or accessory structures in the calculation of dwelling unit footprint.

(3) Maximum average floor area per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

(4) Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

Figure 1. Cottage Cluster without Alley

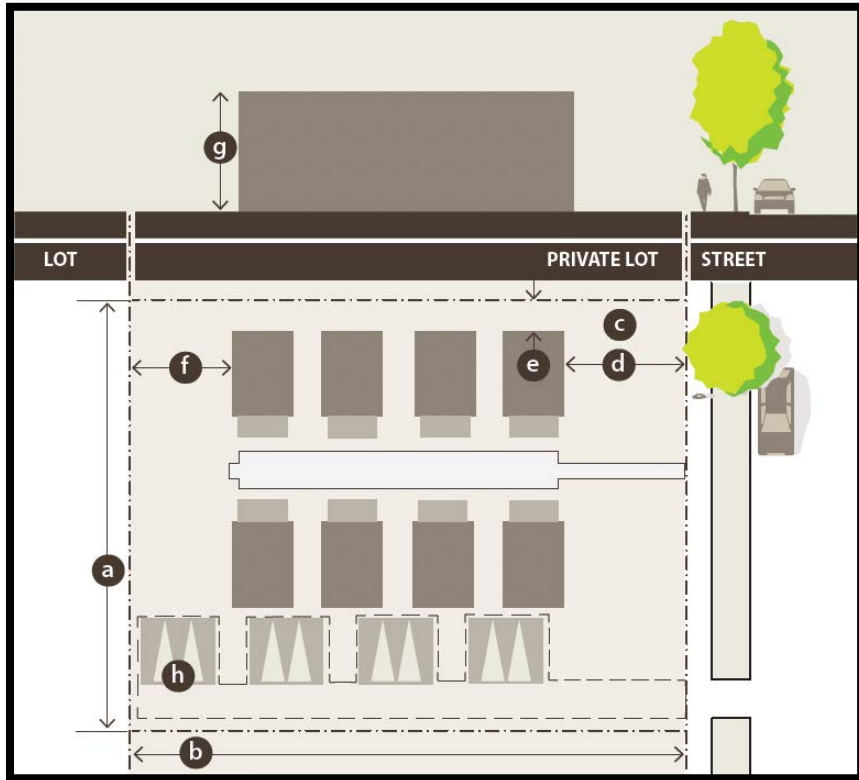
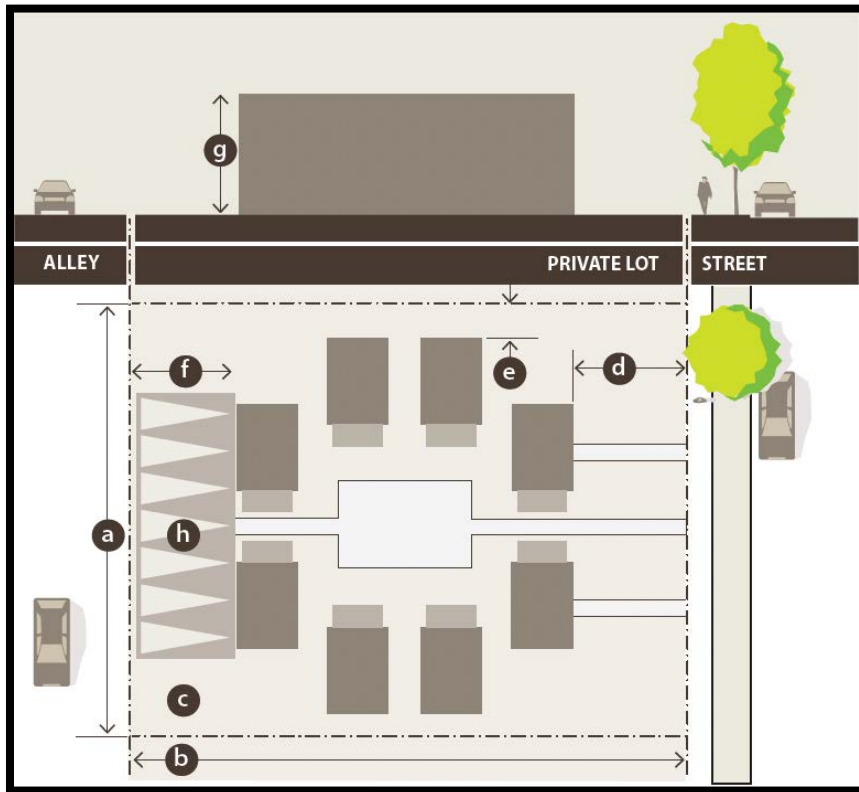


Figure 2. Cottage Cluster with Alley



D. Design Standards. Please see Table (2) below.

TABLE 2: COTTAGE CLUSTER DESIGN STANDARDS

	WITH ALLEY	WITHOUT ALLEY	SUBDIVISION / INFILL
a) Cottage orientation	<p>Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.</p> <p>A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:</p> <ul style="list-style-type: none"> ❖ Have a main entrance facing the common courtyard; ❖ Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and ❖ Be connected to the common courtyard by a pedestrian path. ❖ Cottages within 20 feet of a street property line may have their entrances facing the street. <p>Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.</p>		
b) Common courtyard design	<p>Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:</p> <ul style="list-style-type: none"> ❖ Common courtyard must be a single, contiguous piece ❖ Cottages must abut the common courtyard on at least two sides of the courtyard ❖ The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area. ❖ Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard. ❖ Up to 25% of the courtyard can be in a constrained area (e.g.; wetlands, forested areas, or steep slopes). 		
c) Common courtyard width, minimum (feet)	15	20	24
d) Common courtyard frontage on a street	Not required	required	Not required
e) Common courtyard square footage per unit	150	300	400

f) Common buildings	<p>Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, daycare, or community eating areas. Community buildings must meet the following standards:</p> <p>Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area.</p> <p>A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.</p>
g) Pedestrian access	<p>An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:</p> <ul style="list-style-type: none"> ❖ The common courtyard; ❖ Shared parking areas; ❖ Community buildings; and ❖ Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks. <p>The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.</p>
h) Windows	<p>Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single dwellings in the same zone</p>
i) Parking design: clustered parking	<p>Off-street parking may be arranged in clusters, subject to the following standards:</p> <ul style="list-style-type: none"> ❖ Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces. ❖ Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces. ❖ Parking clusters must be separated from other spaces by at least four (4) feet of landscaping. <p>Clustered parking areas may be covered.</p>
j) Parking location and access	<p>Off-street parking spaces and vehicle maneuvering areas shall not be located:</p> <ul style="list-style-type: none"> ❖ Within of 20 feet from any street property line, except alley property lines; ❖ Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys. <p>Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.</p>

k) Screening	Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.		
l) Garages and carports	<p>Garages and carports (whether shared or individual) must not abut common courtyards.</p> <p>Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.</p> <p>Individual detached garages must not exceed 400 square feet in floor area.</p> <p>Garage doors for attached and detached individual garages must not exceed 20 feet in width.</p>		
m) Accessory structures, maximum area	400	400	400
n) Existing structures	<p>On a lot or parcel to be used for a cottage cluster project, an existing detached single dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:</p> <ul style="list-style-type: none"> ❖ The existing dwelling may be nonconforming with respect to the requirements of this code. ❖ The existing dwelling may be expanded up to the maximum height or the maximum building footprint; however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded. ❖ The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster. <p>The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard.</p>		
o) Conversions	<p>A preexisting detached single dwelling may remain on a lot or parcel with a Cottage Cluster as described below:</p> <ul style="list-style-type: none"> ❖ The preexisting single dwelling may be nonconforming with respect to the requirements of the applicable code; ❖ The preexisting single dwelling may be expanded up to the maximum height, footprint, or unit size required by the applicable code; however, a preexisting single dwelling that exceeds the maximum height, footprint, or unit size of the applicable code may not be expanded; ❖ The preexisting single dwelling shall count as a unit in the Cottage Cluster; ❖ The floor area of the preexisting single dwelling shall not count towards any Cottage Cluster average or Cottage Cluster project average or total unit size limits. 		

17.11.040 Accessory Dwelling Units

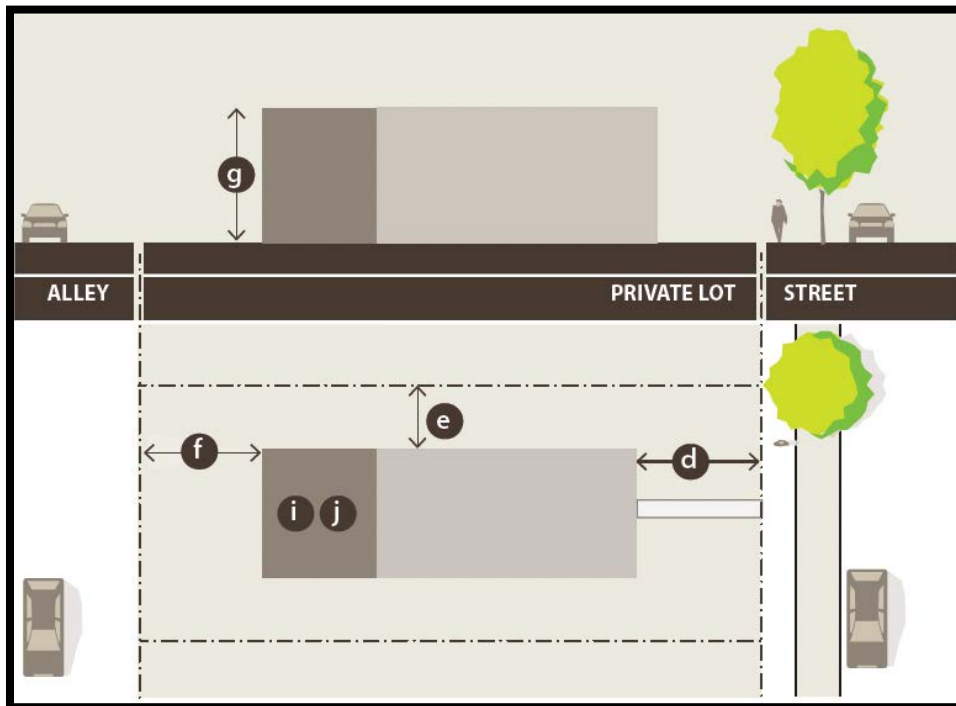
- A. Characteristics. An ADU is a secondary, self-contained single dwelling that may be allowed only in conjunction with a detached single dwelling. An accessory dwelling unit is subordinate in size, location, and appearance to the primary detached single dwelling. An accessory dwelling unit generally has its own outside entrance and always has a separate kitchen, bathroom and sleeping area. An accessory dwelling may be located within, attached to or detached from the primary single dwelling.
- B. Guiding Principles. The accessory dwelling unit may be established by:
1. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 2. Adding floor area to the primary dwelling, including a second story;
 3. Construction of a detached accessory dwelling unit on a lot with a primary single dwelling; or
 4. Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.
 5. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.
 6. Not more than one accessory dwelling unit shall be allowed per lot or parcel.
 7. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that is completely independent from the primary dwelling.
 8. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not
- C. Development Standards. - Please see Table 1 below.

TABLE 1. ACCESSORY DWELLING UNITS DEVELOPMENT STANDARDS

	Lot width (feet)	N/A
	Lot depth (feet)	N/A
	Lot size (square feet)	N/A
d)	Front setback (feet)	Match existing zone, subdivision, or Planned Development overlay district.
e)	Side setback (feet)	Match existing zone, subdivision, or Planned Development overlay district.
f)	Rear setback (feet)	Match existing zone, subdivision, or Planned Development overlay district.
g)	Building height (feet)	Height of primary building or 25 feet, whichever is less. ⁽¹⁾
h)	Building size	Not more than 50% of main dwelling or not more than 1,000 square feet (whichever is smaller).
i)	Lot coverage	Not larger than the coverage of the primary dwelling.
j)	Universal Design Standards and Subdivision Standards that apply	Universal Design Standards that apply to the main dwelling apply to the accessory dwelling unit.
k)	Minimum Off-Street Parking	No additional off-street parking is required for accessory dwelling units.

(1) Applicable to detached ADUs.

Figure 1. Accessory Dwelling Units



- D. Design Standards. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.

17.11.050 Single Detached Houses

- A. Characteristics. Single dwellings are one home on a single lot, separated from adjacent dwellings by private open space in the form of side yards and backyards, and often set back from the public street with a front yard. Single dwelling standards apply to units that are larger than 400 square feet.
- B. Guiding Principles.
1. Avoid cookie-cutter appearance across multiple single dwellings in the same neighborhood by creating a variety of color, form, and façade details.
 2. Space driveways to allow for street trees and on-street parking.
 3. Garages facing the front should be recessed to reduce their prominence on the front façade.
- C. Development Standards. Please see Table 1 below.

TABLE 1. SINGLE DWELLING DEVELOPMENT STANDARDS

		PLANNED DEVELOPMENT		SUBDIVISION
		WITH ALLEY	WITHOUT ALLEY	SUBDIVISION / INFILL ⁽¹⁾
a)	Lot width (feet)	Min. 35	Min. 45	Match existing zone, subdivision, or Planned Development overlay district.
b)	Lot depth (feet)	Min. 65	Min. 65	
c)	Lot size (square feet)	Min. 2,300	Min. 3,000	
d)	Front setback (feet)	Min. 15	Min. 15	
e)	Side setback (feet)	Interior: Min. 3 ⁽²⁾ or 7.5 Exterior: 10	Interior: Min. 3 ⁽²⁾ or 7.5 Exterior: 10	
f)	Rear setback (feet)	0 with garage, 20 without garage. ⁽³⁾	Min. 20	
g)	Building height (feet)	Max. 35	Max. 35	
h)	Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
i)	Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
j)	Minimum Off-Street Parking	Two parking spaces per dwelling unit.		
	Universal Design Standards and Planned Development Standards that apply	Street frontage Front yard Alleys Private open space Compatibility Façade Parking Planned Development Standards: Usable Side Yard, Through Block, and Corner Common Greens		

(1) Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

(2) Must meet all requirements of Usable Side Yard Subdivision standards.

(3) From alley property or easement line.

Figure 1. Detached Single Dwelling without Alley

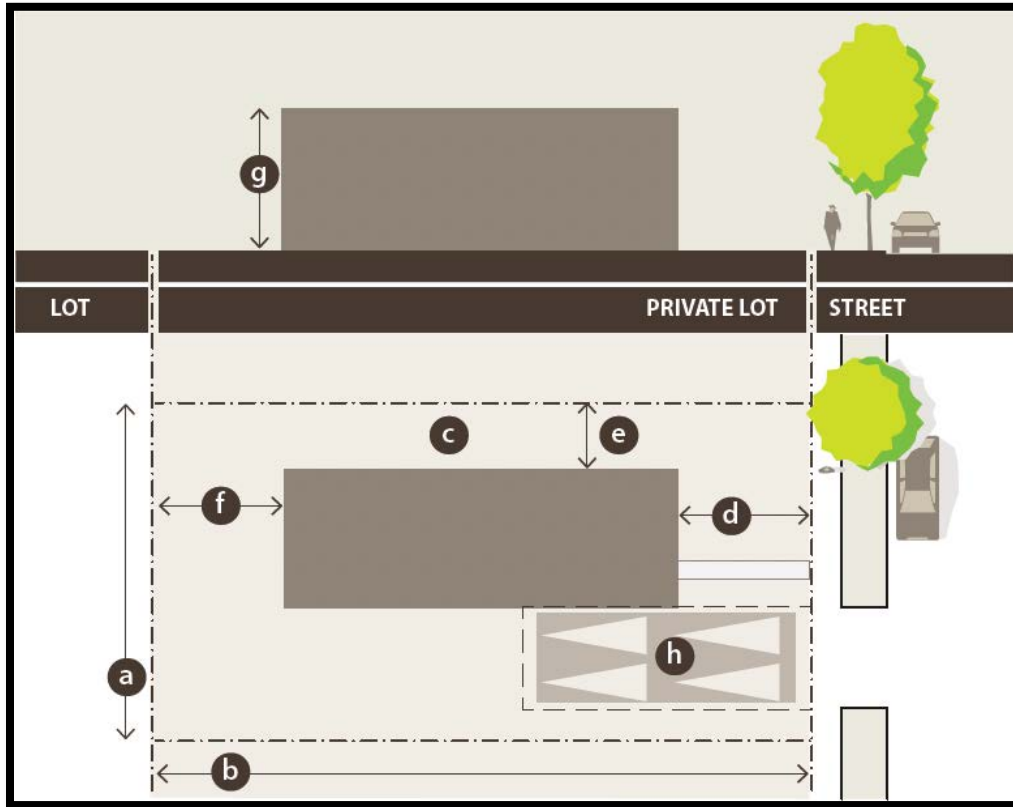
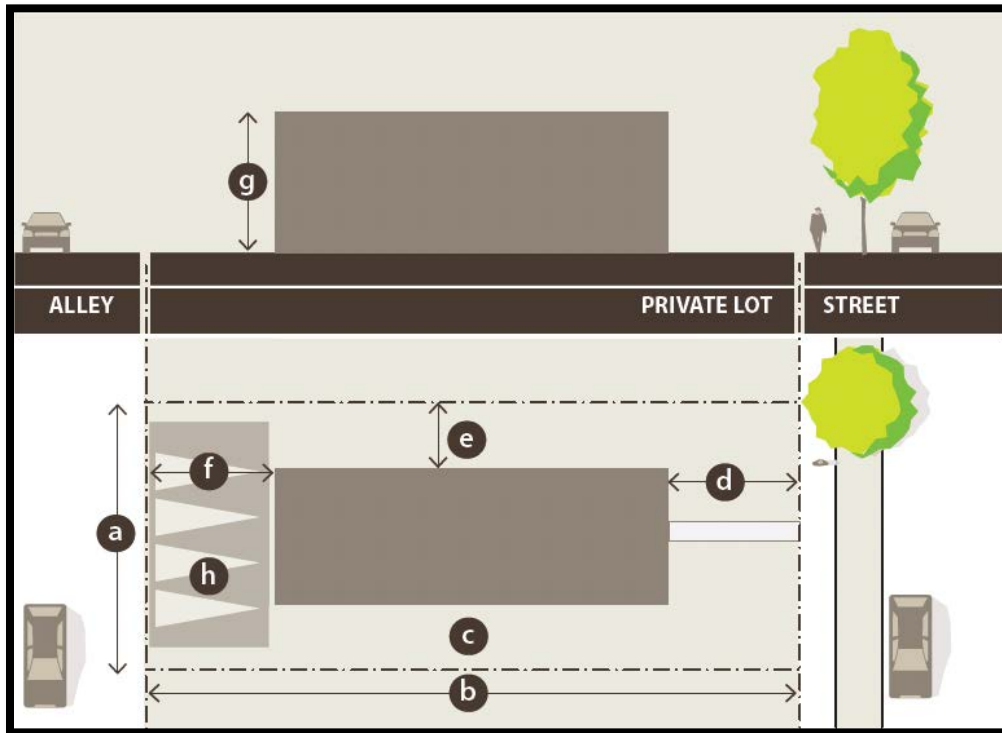


Figure 2. Detached Single Dwelling with Alley



17.11.060 Plexes

- A. **Characteristics.** A Plex is multiple dwellings on one lot (limited to four) stacked and/or side-by-side in a single structure, detached in separate structures, or a combination thereof. Plexes include duplexes (two units), triplexes (three units), and quadplexes (four units) on a single lot.
- B. **Guiding Principles.**
 - 1. Plex designs should be similar in size, scale and appearance when integrated into an existing single dwelling neighborhood.
 - 2. When situated on a corner lot, orient each entrance to a different street for privacy and neighborhood compatibility.
- C. **Development Standards.** Please see Table 1 below.

TABLE 1 PLEX DEVELOPMENT STANDARDS				
PLANNED DEVELOPMENT			SUBDIVISION	
	WITH ALLEY	WITHOUT ALLEY	SUBDIVISION / INFILL⁽⁴⁾	
a) Lot width (feet)	Min. 35	Min. 45	Duplex and Triplex match existing zone, subdivision, or Planned Development overlay district.	
b) Lot depth (feet)	Min. 65	Min. 65		
c) Lot size (square feet)	Duplex Min. 2,300 Triplex Min. 5,000 Quadplex Min. 7,000	Duplex Min. 3000 Triplex Min. 5,000 Quadplex Min. 7,000		
d) Front setback (feet)	Min. 10 ⁽¹⁾ or 15	Min. 15		
e) Side setback (feet)	Interior: Min. 3 ⁽²⁾ or 7.5 Exterior: 10	Interior: Min. 3 ⁽²⁾ or 7.5 Exterior: 10		Quadplex Min. 7,000
f) Rear setback (feet)	0 with garage, 20 without garage. ⁽³⁾	Min. 20		
g) Building height (feet)	Max. 35	Max. 35	Max. 35	
h) Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.			
i) Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.			
j) Minimum Off-Street Parking	One parking space per dwelling unit.			

<p>k)</p> <p>Universal Design Standards and Planned Development Standards that apply</p>	<p>Street frontage Front yard Alleys Private open space Compatibility Façade Parking Planned Development Standards: Usable Side Yard, Through Block, and Corner Common Greens</p>
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- (1) Must meet all requirements of Universal Design Standards: Front Yard (Type2) Urban Type
- (2) Must meet all requirements of Usable Side Yard Subdivision standards.
- (3) From alley property or easement line.
- (4) Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

Figure 1. Plex without Alley

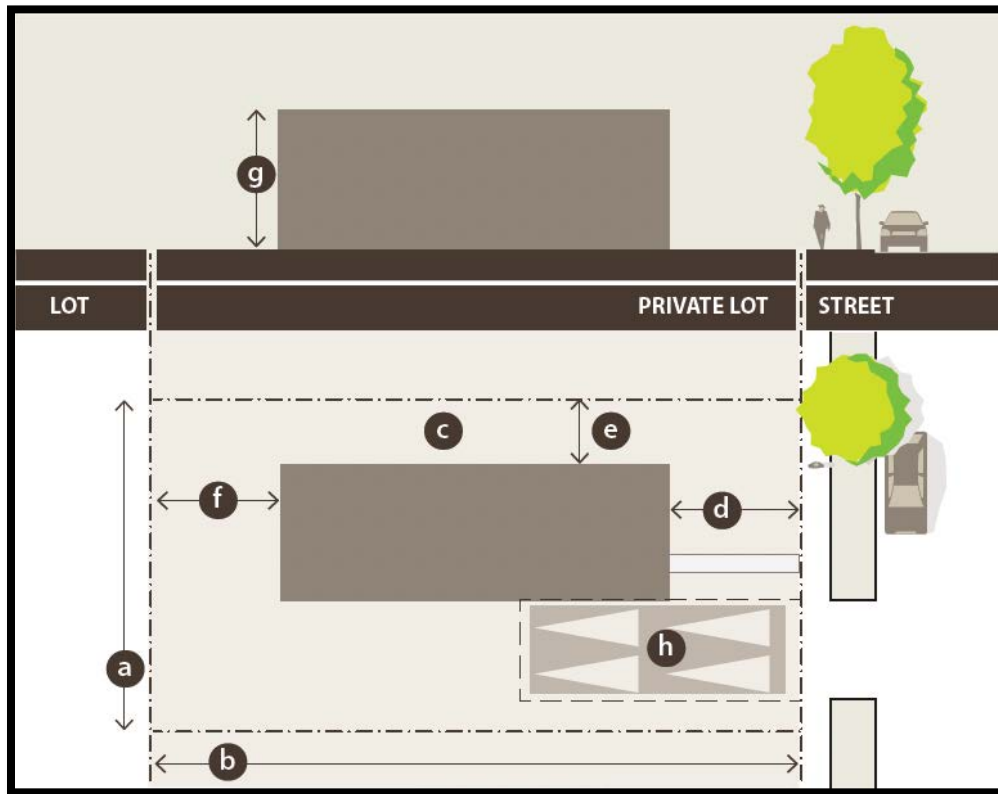
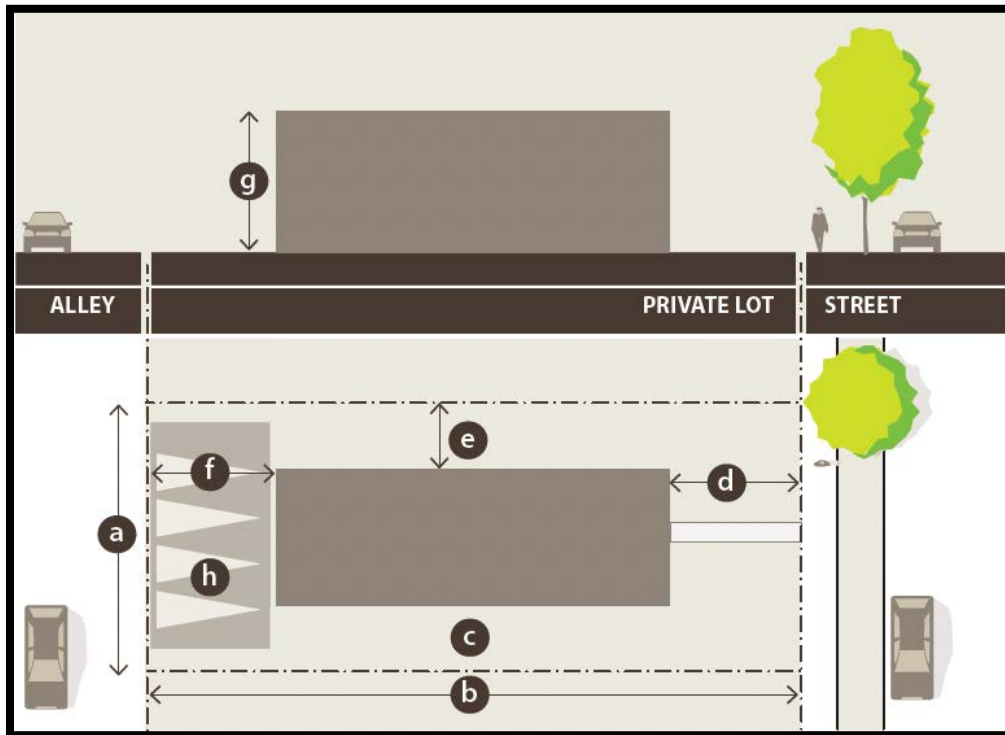


Figure 2. Plex with Alley



17.11.070 Townhouses

- A. Characteristics. Townhouses are attached units with common wall construction, each on a separate lot, and each with its own entry from a public or shared street or common area. Townhouse variation includes live/work units, typically with the “work” portion on the ground floor.
- B. Guiding Principles.
 - 1. When fitting into existing single dwelling neighborhoods, group townhouses in smaller clusters, so that they are a compatible scale with surrounding development
 - 2. Design townhouses with a shared roof form, rather than a sawtooth shape with each unit having its own roof ridge. A shared roof form is more compatible with existing single dwelling neighborhoods.
 - 3. Provide alley-accessed parking, when possible, to minimize driveways and preserve the tree-lined street frontage.
- C. Development Standards. Please see Table 1 below.

TABLE 1. TOWNHOUSE DEVELOPMENT STANDARDS

	PLANNED DEVELOPMENT		SUBDIVISION
	WITH ALLEY	WITHOUT ALLEY	SUBDIVISION / INFILL ⁽⁴⁾
a) Lot width (feet) ⁽²⁾	Min. 20	Min. 22	Min. 22
b) Lot depth (feet)	Min. 60	Min. 60	Min. 60
c) Lot size (square feet)	Min. 1,500 ⁽³⁾	Min. 1,500	Min. 1,500
d) Front setback (feet)	Min. 15	Min. 15	Min. 15
e) Side setback (feet) ⁽⁴⁾	Interior: Min. 0 or 7.5 ⁽¹⁾ Exterior: Min. 10	Interior: Min. 0 or 7.5 ⁽¹⁾ Exterior: Min. 10	Match existing zone, subdivision, or Planned Development overlay district
f) Rear setback (feet)	0 (zero) with garage, 20 without garage.	Min. 10	
g) Building height (feet)	Max. 35	Max. 35	
h) Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
i) Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
j) Minimum Off-Street Parking	One parking space per dwelling unit.		
k) Number of adjoining units and arrangement	Min. 2 Max. 8	Min. 2 Max. 4	Min. 2 Max. 4
l) Universal Design Standards and Planned Development Standards that apply	Street frontage Front yard Alleys Private open space Compatibility Façade Parking Planned Development Standards: Through Block, and Corner Common Greens		

⁽¹⁾ Interior side setback of 7.5 feet and exterior setbacks only apply to end units.

⁽²⁾ May allow frontage on public and private streets or alleys; and on shared or common drives.

⁽³⁾ Lot sizes for internal, external, and corner lots may be different as long as the townhouse project averages 1,500 sq ft or less.

⁽⁴⁾ Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

Figure 1. Townhouse without Alley

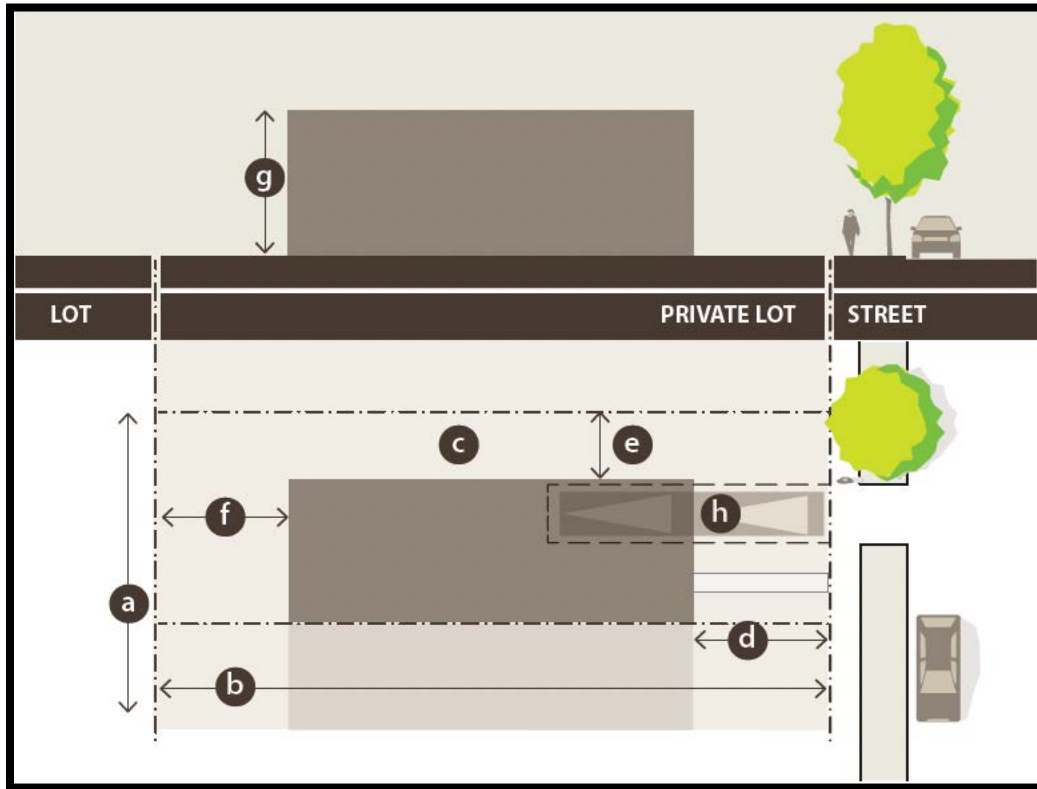
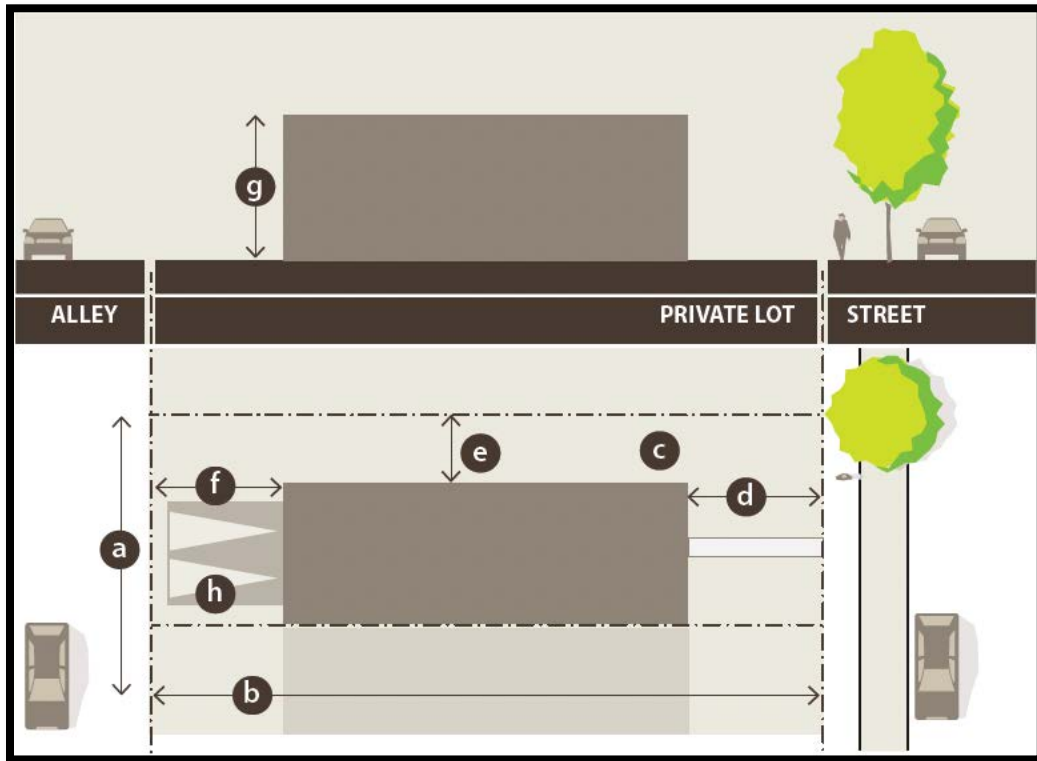


Figure 2. Townhouse with Alley



17.11.080 Single Room Occupancy

- A. Characteristics. Single Room Occupancy (SRO) housing is housing with single-room dwelling units which are the occupants' primary residence
- B. Guiding Principles. These SRO regulations are in addition to the regulations of the underlying zoning districts where SRO housing development is permitted.
 - 1. An SRO Housing Development shall comply with all of the applicable standards of this Chapter.
 - 2. An SRO Housing Development shall comply with the standards of the applicable zoning district including height, setbacks, and other standards of the zoning district.
 - 3. An SRO Housing Development shall comply with the standards of the respective Chapters of the Zoning Ordinance for landscaping, signs, fences, solid waste enclosures, and other applicable general provisions.
 - 4. An SRO Housing Development may include SRO living units and common facilities in one building or multiple buildings on the site, subject to the provisions of this Chapter.
 - 5. An SRO Housing Development shall comply with residential architectural and site design requirements. For purposes of determining the residential design standards applicable to SROs, the following shall apply:
 - a. Small SRO Housing Development in one building with primary exterior entrance to a common/shared interior area: Single-dwelling Residential Design Standards
 - b. Small SRO Housing Development in one building with separate exterior entrances to the individual private SRO units:
 - 1. Two private SRO units with exterior entrances = Duplex standards
 - 2. Three private SRO units with exterior entrances = Triplex standards
 - 3. Four private SRO units with exterior entrances = Fourplex standards
 - 4. Five or Six private SRO units with exterior entrances = Multi-dwelling standards
 - c. Small SRO Housing Development in multiple buildings: Shall be based on the most applicable standards based on the number of buildings and the number of SRO living units within each building that have individual exterior entrances; however:
 - 1. A Small SRO development in two buildings may use the standards for a single detached dwelling with an accessory dwelling unit (ADU), provided the second structure complies with the size limitations and standards for an ADU.
 - 2. A Small SRO development in multiple buildings may use the cottage cluster standards, provided any separate structure

containing more than one SRO living unit has the primary exterior entrance to a common/shared interior area.

- d. Large SRO Housing Development, whether in one building or multiple buildings: Multi-dwelling residential standards.
 6. Accessory uses and structures. An SRO Housing Development may include accessory uses and structures which are customary to residential development subject to the regulations of the Zoning Ordinance. Home occupations shall be subject to the provisions of the Zoning Ordinance, and home occupations involving on-site customers or use of common areas shall only be conducted in accordance with the approved management plan.
 7. Mixed-Use Development. In zoning districts that are not limited to more than one main building per lot, as provided in Section 17.54.030, SRO housing development may be included as part of a mixed-use development, provided all uses separately meet the applicable design and development standards in total.
 8. Buildings – Number Per Lot. For purposes of applying Section 17.54.030, a Small SRO Housing Development may be considered to be “a main building,” whether in one building or more than one building.
- C. Standards for Private SRO Living Units within an SRO Housing Development
1. Minimum and Maximum Size. There is no minimum or maximum size for an SRO living unit.
 2. Maximum Number of Rooms in an SRO Living Unit. There is no maximum number of rooms in an SRO living unit.
 3. Private Bathrooms, Kitchen/Food Preparation Area, and Closets.
 - a. An SRO living unit is not required to have a private bathroom facility or private kitchen/food preparation area. It may have one or the other but may not have both. A living unit with both is regulated as a “dwelling unit.”
 - b. Bathroom. There is no limit on the number of private bathroom facilities an SRO living unit may have. If an SRO living unit does not have a private bathroom or has only a private half bathroom, then common/shared bathroom facilities shall also be provided as required by this Chapter. A full bathroom contains at least one sink, a toilet, and a bathing facility (shower, bathtub, or combination unit). A half bathroom contains one sink and a toilet, but no bathing facility.
 - c. Kitchen/Food Preparation Area. An SRO Living Unit shall not have more than one private kitchen/food preparation area. An SRO living unit is considered to include a private kitchen/food preparation area if it includes, at minimum, a sink separate from the sink(s) for any private bathroom. If a separate sink is provided, then the food preparation area shall also include, at a minimum, all of the following: space for an under-counter or full-size refrigerator with a

dedicated outlet, the contiguous countertop work area of not less than four square feet, and a 20-amp small appliance branch circuit located above the countertop work area.

1. If any SRO Living Unit does not have a private kitchen/food preparation area, then complete common/shared kitchen/food preparation facilities shall be provided as part of the SRO Housing Development as required by this Chapter.

d. Closet. Each SRO living unit must have a closet, with at least four-square feet of closet space with an unobstructed height of at least five feet. The Planning Director may waive this requirement if equivalent storage space is provided or furnished in the unit in excess of the area required to meet minimum occupancy standards.

D. Common Spaces and Facilities

1. Usable Open Space. All SRO housing developments shall have at least 10 square feet of common usable open space per SRO living unit; however, no SRO housing development shall provide less than 200 square feet of common outdoor open space and 200 square feet of common indoor open space.

a. Maintenance areas, laundry facilities, storage (including bicycle storage), and common hallways shall not be included as usable indoor common space. Landscape areas that are less than eight feet wide shall not be included as outdoor common space.

b. Usable open space in smaller SRO Housing Developments may be located to serve all units. However, in larger SRO Housing Developments, and those with private SRO units on multiple floors or in multiple buildings, common open spaces and facilities should additionally be distributed for the use of those units on the respective floors and in the respective buildings.

2. Furnishings. Common open spaces shall be designed to accommodate appropriate furnishings and shall be furnished for use by residents.

a. Appropriate furnishings for indoor spaces may include such items as lounge chair(s) and/or couch(es), table(s) with chairs, writing desk(s), and television(s).

b. Outdoor furnishings may include such items as outdoor bench(es), table(s) with chairs, barbecue(s), and shade umbrella(s).

3. Laundry Facilities.

a. A minimum of two washers and two dryers shall be provided for an SRO housing development. Additional washers and dryers must be provided for any development that has more than 20 units at the ratio of one washer and one dryer for every additional 20 units.

b. If two or more washers and dryers are provided in the same location, they must be provided in a separate room.

4. Bathrooms.

a. Any provisions of the Building Code which provide more restrictive provisions shall apply.

- b. If any SRO unit within an SRO housing development lacks a full private bathroom, then common bathroom facilities shall be provided for the SRO housing development. Common bathrooms shall be either single-occupant use with provisions for privacy or multi-occupant use with separate provisions for men and women. A minimum of one lavatory basin and one toilet shall be provided for each two living units which lack private bathrooms.
 - c. Common bathrooms shall have bathing facilities (shower, bathtub, or combination unit) at a ratio of one for every six people based on maximum occupancy as specified in Subsection 17.67.240(C), or fraction thereof, for units which lack full private bathrooms. Each shared/common shower or bathtub facility shall be single-occupant and provided with an interior lockable door.
 - d. Common bathrooms must be located on any floor that has any SRO units which lack full private bathrooms. However, if a two-story Small SRO Development has only one SRO unit without a full private bathroom on the second floor, the full common bathroom facilities may be provided on the main floor.
 - e. If SRO living units are located in separate buildings, common bathrooms shall be provided in any building where any SRO unit in that building lacks a full private bathroom. The number of lavatory basins, toilets, and bathing facilities in each building shall be calculated as specified in this Section based on the number of units lacking private bathroom facilities in that building.
5. Common Kitchen/Food Preparation Areas. Complete common kitchens/food preparation areas must be provided as part of an SRO Housing Development if any SRO living unit within the project does not have a private kitchen/food preparation area. A complete common kitchen/food preparation area contains equipment and facilities for a refrigerator/freezer, food storage, cooking and heating food, washing and preparing food, and washing dishes.
- a. Number
 - 1. One complete common kitchen/food preparation area shall be provided within the project for every 10 units, or portion thereof, which lack a private kitchen/food preparation area.
 - 2. The Director may reduce the requirement provided the management plan provides for meals provided at one or more congregate dining areas as part of the room and board.
 - 3. The Director may reduce the requirement for the number of separate common kitchen/food preparation areas provided the application demonstrates the common kitchen/food preparation areas contain multiple workstations and appliances comparably equivalent to separate common kitchen/food preparation areas.
 - b. Location
 - 1. For a Small SRO Development with multiple buildings, common kitchen/food preparation areas, and dining facilities may be

located in a separate shared/common building, or in a building that contains some of the SRO living units within the SRO Housing Development. Each separate building with SRO living units need not contain separate common kitchen/food preparation areas.

2. For a Large SRO Development, a minimum of one complete common kitchen/food preparation area must be provided on any floor where any SRO living units without private kitchens/food preparations areas are located.
 3. The Director may reduce this requirement for a two-story building with 20 units or less, or if the management plan provides for meals provided at a congregate dining area as part of the room and board.
6. Storage Space. All SRO units must have access to separate usable storage space within the project.
 7. Bicycle Storage. With the exception of projects that allow only senior residents, projects that have less than one automobile parking space per unit shall provide one easily accessible space for storing and locking a bicycle per unit. For projects that provide one parking space per unit, at least one bicycle storage space for every two units shall be provided.
 8. Garbage Disposal. Garbage disposal service must be included for the SRO development. Solid waste and recycling receptacles and enclosures shall be provided as required by Chapter 17.61 of the Zoning Ordinance. They must be located on property in a manner that does not hinder access to any required off-street parking or loading spaces and complies with the solid waste enclosure requirements unless individual wheeled receptacles are stored in a dedicated location inside a building.
- E. Management of SRO Housing Development
1. Management Plan. All SRO projects must have a management plan approved by the Planning Director. The management plan shall contain management policies, maintenance plans, rental procedures, tenant rules, and security procedures.
 2. 24-Hour Contact for Large SROs. Large SRO Housing Developments shall have a manager available on call 24 hours per day and shall provide contact information to residents.

17.11.090 Apartments. Apartments are a type of attached housing within single-story or multi-story buildings. Apartment dwelling units may share common walls, ceilings, or floors.

A. Characteristics.

1. Site Sizes: Single walk-ups, block apartments, and many courtyard apartments can fit on a 100 x 100 foot lot. Bigger developments with multiple walk-up buildings may be as large as 250,000 square feet, or 500 x 500 foot lots.



2. Height Range: Apartment heights vary depending on the type and the location.



3. Density Ranges: Apartment densities vary depending on building type and site design layout.

B. Types of Apartments.

1. Courtyard Apartments

- a. Description: Attached housing units arranged around a courtyard, each with its own entry or other access from the courtyard.
- b. Appropriate Context: Courtyard apartments have large footprints and therefore fit in well to the edges of single dwelling neighborhoods and on major streets. They can be designed to be low in profile and to fit seamlessly into most detached single-dwelling neighborhoods. Like cottage clusters, they lend themselves to sensitive sites where preserving trees and open space is a priority.
- c. Also Named: Garden apartments
- d. Variations: Stacked (like townhouses) and oriented to a courtyard or open space; single level and oriented to a courtyard; bar-shaped or L-shaped instead of C-shaped; with separate garages from an alley or tucked under the development.
- e. Lot Sizes: Vary widely, from 10,000 to 80,000 square feet
- f. Density Range: 10-30 units per acre. (Note, maximum density will be governed by McMinnville's municipal code.)
- g. Building Height: Typically 2-3 stories. (Note, maximum height will be governed by McMinnville's Municipal Code.)

- h. Construction Type and Building Code Issues: Typically Type V frame construction. Sprinklers for fire suppression are required if not common wall construction. Elevators needed if over 3 stories.
2. Walk-Up Apartments
- a. Description: Buildings are limited to three stories, and consist of about four to 12 units each, accessible from a single open-air stairwell. Dwelling units are typically constructed in Type V frame construction with fire sprinklers. Individual apartment buildings are arranged around common open space and shared parking areas.
 - b. Appropriate Context: Walk-up apartments are appropriate adjacent to or within a single dwelling neighborhood depending on site design, orientation to the street, location of parking, and the massing and scale of buildings.
 - c. Also Named: Woody Walk-Ups, Single Stair Walk-Ups
 - d. Variations: May have an internal stair. Generally, in this case, the maximum number of units per floor are four. They can be designed with front and back windows for cross ventilation. Buildings can be separated to offer access to light and air on three sides.
 - e. Lot Sizes: Vary widely, from 10,000 to 250,000 square feet
 - f. Density Range: 15 - 30 units per acre. (Note, maximum density will be governed by McMinnville's municipal code.)
 - g. Building Height: Usually 3 stories; can be 2 stories. (Note, maximum height will be governed by McMinnville's Municipal Code.)
 - h. Construction Type and Building Code Issues: Typically Type V frame construction. Sprinklers for fire suppression are required.
2. Apartment Block
- a. Description: Stacked dwelling units in a single building or groups of buildings on a single lot. Parking is shared, and entrance to units is typically accessed through a shared lobby.
 - b. Appropriate Context: Apartments vary widely in size and design but typically have large footprints and fit in well to the edges of single dwelling neighborhoods and on major streets.
 - c. Also Named: Flats, multifamily, apartments
 - d. Variations: Flats, lofts, two-level flats, split-level flats, through-building flats.
 - e. Lot Sizes: Vary widely, from 7,200 to 320,000 square feet.
 - f. Density Range: 10 - 200 units per acre. (Note, maximum density will be governed by McMinnville's municipal code.)
 - g. Building Height: 2-5 stories, if adjacent to or within a single dwelling neighborhood context. Can be much taller in central city areas. (Note, maximum height will be governed by McMinnville's Municipal Code.)

- h. Construction Type and Building Code Issues: Type V frame construction for buildings under 5 stories. Type V frame construction over Type I, for 6 or 8 stories, or Type I for taller buildings. Sprinklers for fire suppression are required. Elevators needed if over 3 stories.

C. Development Standards. Please see Table 1 below.

TABLE 1. MULTI-DWELLING DEVELOPMENT STANDARDS

LOTS OVER 14,000 SQUARE FEET			
	WITH ALLEY	WITHOUT ALLEY	INFILL ⁽⁴⁾
a) Lot width (feet)	Min. 50	Min. 50	Match existing zone, subdivision, or Planned Development overlay district.
b) Lot depth (feet)	Min. 100	Min. 100	
c) Lot size (square feet)	Min.5,000	Min. 5,000	
d) Front setback (feet)	Min. 10 ⁽¹⁾ or 15	Min. 15	
e) Side setback (feet)	Interior: Min. 3 ⁽²⁾ or 5 Exterior: 10	Interior: Min. 3 or 5 Exterior: 10	
f) Rear setback (feet)	0 with garage, 20 without garage. ⁽³⁾	Min. 20	
g) Building height (feet)	Varies, See underlying zone	Varies, See underlying zone	
h) Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
i) Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
j) Off-street Parking	See McMinnville Municipal Code Chapter 17.60		

(1) Must meet all requirements of Universal Design Standards: Front Yard (Type2) Urban Type

(2) Must meet all requirements of Usable Side Yard Subdivision standards.

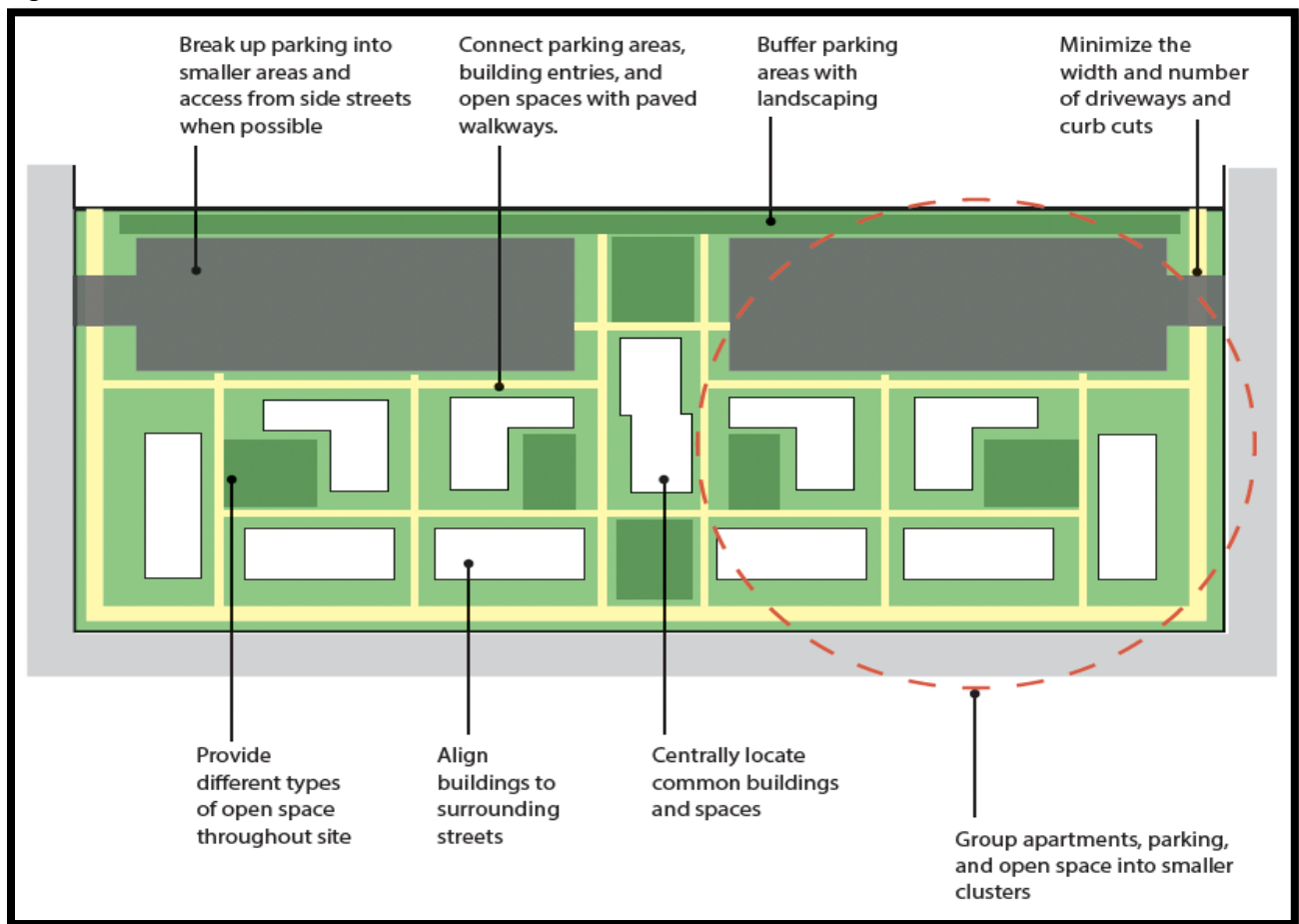
(3) From alley property or easement line.

(4) Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

- D. Design Standards. The Apartment Design Standards for multi-dwelling housing are standards that apply to apartment housing types. These standards are related to site design and building frontage, parking, compatibility with neighboring homes, open space, and private space.
1. Context and Site Design. Site design standards are intended to facilitate the development of attractive multi-dwelling housing. They encourage good site and building design, which contributes to livability, safety, and sustainability; helps create a stronger community, and fosters a quality environment for residents and neighbors.
 - a. Mirror the scale of blocks and the block-like structure of the surrounding neighborhood.
 - b. Connect the internal network of streets and paths to those of the surrounding area where possible.
 - c. Configure apartments, parking areas, and common open space in clusters that mirror the scale of blocks of the surrounding neighborhood or are no more than 10,000 square feet in area per cluster.
 - d. Residential units must be oriented to a common open space, including a common green, a plaza, or a pocket park.
 - e. Orient all buildings around a shared open space that meets the requirements of a Common Open Space.
 - f. Align buildings to surrounding streets.
 - g. Connect to surrounding neighborhoods, schools, parks, and other neighborhood destinations.
 2. Large Site Design Requirements.
 - a. Break up parking into smaller areas and access from side streets when possible
 - b. Connect parking areas, building entries, and open spaces with paved walkways.
 - c. Buffer parking areas with landscaping
 - d. Minimize the width and number of driveways and curb cuts
 - e. Provide different types of open space throughout site
 - f. Align buildings to surrounding streets
 - g. Centrally locate common buildings and spaces
 - h. Group apartments, parking, and open space into smaller clusters
 3. Pedestrian Access. On-site pedestrian circulation system shall include the following:
 - a. Continuous connections between the primary buildings, streets abutting the site, ground-level entrances, common buildings, common open space, and vehicle and bicycle parking areas.
 - b. At least one pedestrian connection to an abutting street frontage for every 200 linear feet of street frontage.
 - c. Pedestrian walkways shall be separated from vehicle parking and maneuvering areas by physical barriers such as planter strips, raised curbs, or bollards.

- d. Walkways shall be constructed with the hard surface material, shall be permeable for stormwater, and shall be no less than 3 feet to 5 feet wide. If adjacent to a parking area where vehicles will overhang the walkway, a 7-foot-wide walkway shall be provided. The walkways shall be separated from parking areas and internal driveways using curbing, landscaping, or distinctive paving materials.
- e. Spacing requirement: No further than 200 feet apart, on center. At least 1 pedestrian connection to an abutting street frontage for every 200 linear feet of street frontage.
- f. May be co-located with a common green.

Figure 1. Pedestrian Access.



4. Parking Lot Location and Design.

a. Characteristics.

- 1. A parking lot is a storage space for cars and should provide secure storage.
- 2. It is also a place where everyone is a pedestrian while getting to or from their car. Therefore, it should be designed primarily for the ease, safety and comfort of a person rolling or on foot.

3. Clearly defined pathways through parking lots and garages to building entrances, surrounding sidewalks, and transit stops enhance pedestrian safety. These pathways also provide an opportunity to improve the appearance of parking lots.
 4. Design parking lots and garages so that vehicles are not the dominant feature.
 5. To encourage bicycling as a mode choice, bike parking areas should include bike repair, maintenance, and cleaning stations.
- b. Universal Design Standards for Nine Parking Spaces or More
1. Parking lot pathways should be designed as part of the seamless accessibility network described in Apartment Standards, particularly the required Through Connection.
 2. Driveways to shared parking areas are:
 - A. Limited to one driveway per street frontage.
 - B. Parallel parking is permitted on a driveway that crosses a front, side or rear yard abutting a street, but not within the required yard setback.
- c. Parking Lots For Small Multi-Dwelling Sites - Containing More Than Nine Parking Spaces but Fewer Than 16 Parking Spaces. Off-street parking may be arranged in clusters, subject to the following standards:
1. Residential developments with fewer than 16 dwellings are permitted parking clusters of not more than five contiguous spaces.
 2. Residential developments with 16 dwellings or more are permitted parking clusters of not more than eight contiguous spaces.
 3. Parking clusters must be separated from other spaces by at least four feet of landscaping.
 4. Clustered parking areas may be covered.
- d. Parking Lots For Medium-to-Large Multi-Dwelling Sites - Containing More Than 16 Parking Spaces.
1. Interior landscaping, minimum area
 2. Interior landscaping shall be required for off-street parking areas 5,000 square feet or greater in size.
 3. For parking lots less than 50,000 square feet, the minimum landscaped area is 5 percent.
 4. For parking lots 50,000 square feet and greater, the minimum landscaped area is 8 percent.
 5. Planted areas may take the form of landscape areas and planter bays.
 6. Landscaped areas along a through connection count toward required interior landscaping.
 7. Landscaped islands and peninsulas shall be evenly distributed throughout all parking areas and separated no more than 60 feet from another. Such islands shall be provided with raised

- curbs, be a minimum of five feet in width, and shall each contain at least one deciduous tree. To achieve the maximum canopy coverage, all trees shall be non-columnar.
8. Trees may line the required Through Connection, and/or be clustered within landscape islands or planter bays, and/or shall be distributed throughout the off-street parking area to create a canopy effect and to break up expanses of paving and long rows of parking spaces.
 9. When a parking area abuts property in a residential zone, a site-obscuring fence or wall, either permanent or of living material, shall be placed along the affected property line.
- e. Parking Lot Setbacks Adjacent to Buildings and Structures. Where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicular use area shall be set back from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip, or by a minimum five-foot-wide paved pedestrian walkway.
- f. Parking Lot Location. Off-street parking spaces and vehicle maneuvering areas shall not be located:
1. Within of 20 feet from any street property line, except alley property lines;
 2. Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
 3. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
 4. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
 5. Garages and carports (whether shared or individual) must not abut common courtyards.
 6. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
 7. Individual detached garages must not exceed 400 square feet in floor area.
 8. Garage doors for attached and detached individual garages must not exceed 20 feet in width.
- g. Parking Lot Required Through Connections. Through Connections may be multi-modal or used exclusively for bicycle and pedestrian access and need to meet the standards in Table 1 below.

Table 1. Through Connection required components and options

Walkway	Planted area
<p>Walkway must be paved, and 10 feet wide minimum. Paved area may be:</p> <ul style="list-style-type: none"> a. 5 feet wide, minimum, each side of a drive aisle. b. 10 feet wide, minimum, one side of a drive aisle. c. 10 feet wide, minimum, if no drive aisle. <p>(Drive aisle minimum width 12 feet) Walkway surface must be clearly marked and differentiated from the surface parking area. Marking treatment maybe paint or paving material.</p>	<p>A planted area is required on one or both sides of the through connection walkway. Planted area must be a minimum of 6 feet wide. Planted areas may be:</p> <ul style="list-style-type: none"> d. 3 feet minimum, each side of the through connection walkway. e. 6 feet minimum, one side of the through connection walkway. <p>Landscaped areas along a through connection may be interrupted by vehicular crossings. Landscaped areas along a through connection count toward required interior landscaping.</p>

5. Common Open Space

a. Characteristics.

1. Provide opportunities for formal and informal recreational use by residents of all ages. This could be a shared recreational facility including sports fields, play structures, bike tracks, courts, swimming pool, or other options.
2. Provide tall deciduous trees for summer shade and winter solar access. When possible, preserve and incorporate large existing trees at least 9 inches in diameter as a focal point of open spaces.
3. Enhance the usability of the space through the inclusion of elements including seating, outdoor lighting, weather protection and/or shade structures, and art, among other features.
4. Incorporate landscaping that receives at least 50 percent of its irrigation from harvested rainwater.
5. Provide opportunities for food cultivation including a community garden and/or incorporating cultivated species into the landscaping.
6. A maximum of 50 percent of common open space may be provided in a rooftop deck that includes shared amenities, weather protection, and landscaping, and is accessible to all residents.
7. A shared outdoor courtyard or shared street/woonerf that is fronted by individual entrances, windows, and balconies There should be a combination of hardscape and landscaped space and/or planters.

- b. Required Elements, General.
 - 1. A common open space shall be provided that is centrally located and designed with a clear function that enhances the livability of residents. These functions shall include passive and active uses. The open space shall be accessible to all residents and if possible be fronted by clearly defined unit entrances. The common open space shall serve as the focus of surrounding buildings. Entries and windows shall face the common open space to provide informal surveillance. Common open spaces shall be accessible to all residents.
 - 2. Common open space shall be a minimum of 15 percent of the site.
 - c. Required Elements, Clustered Housing. Clustered housing, including cottage clusters and garden apartments, must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:
 - 1. The common courtyard must be a single, contiguous piece.
 - 2. Cottages must abut the common courtyard on at least two sides of the courtyard.
 - 3. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.
 - 4. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
 - 5. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths,
 - 6. and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
 - 7. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.
6. Private Open Space
- a. Characteristics.
 - 1. Every dwelling needs private open space for relief from indoors and to provide access to fresh air, light, and nature. Private open space may take many forms based on the size of unit.
 - 2. They should translate into a perception of an increase in living space and the ability to invite the outdoors in. Additionally, these open spaces can provide environmental benefits with plants that consume carbon dioxide and help reduce stormwater runoff. Spaces should be adequate to be usable, allowing space for a

- chair to sit in, a place to barbecue or hang clothes to dry, or for a pet to curl up.
3. Private open space should enhance the residential function of the building while also improving the appearance of the building. They should be integrated into the overall architectural form and add detail to the façade.
 4. Placement can vary based on privacy concerns. It can be combined across multiple floors.
- b. Required Elements.
1. All units shall have a minimum of 36 square feet of private open space that allows for personalization and ownership of the space and contributes to the livability and function of the dwelling. Any exterior private open spaces shall be supplemented with operable windows to allow for cross-ventilation, increase airflow and provide the ability to control access to the outdoors.
 2. 50 percent of upper units shall have a balcony that is accessible from the interior of the unit that is a minimum of 60 square feet with no dimension less than 6 feet. These balconies can be designed to be up to the full width of the apartment in order to provide adequate space for use and allow greater indoor/outdoor flow. Balconies can be cantilevered, semi-recessed, or fully recessed. They should be located based on privacy and environmental concerns. If balconies are transparent, adequate storage should be provided within the unit or the larger building so that balconies do not become informal storage spaces.
 3. Private outdoor space at the ground level must meet the requirements of Universal Standards: Front Yard regardless of whether the private outdoor space is in the front, side, or rear of a building.
- c. Supplemental Elements. In addition to meeting the required elements above, projects must provide private open space in the form of one of the options listed below.
1. A “Juliet-style” balcony of 12-inch dimension that allows residents to bring a sense of the outdoors into the unit. Must have doors that can open inwards or full-height sliding glass doors to allow the introduction of fresh air and sunlight. If this item is selected, units must also include operable windows to increase airflow/ability to control access to the outdoors.
 2. An upper story rooftop deck or terrace that may include space for outdoor seating, dining, and planters for cultivation. This terrace may be stepped back on structures over two stories so as to reduce the visual impact of upper floors.
 3. Alternative option that meets the concept and guiding principles.

7. Alleys

a. Characteristics.

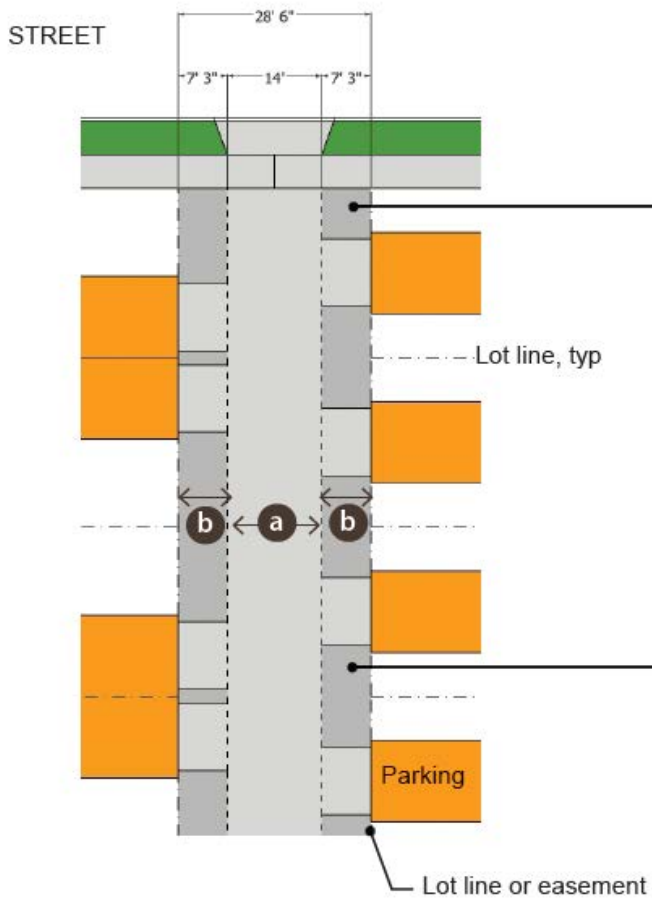
1. Alleys are critical in limiting the number of driveways accessing parking lots from the street edge. They can be used to access parking in the center of a block for middle housing or multi-dwelling housing arrangements.
2. Alleys vary in width and can be a public right of way or private easement. Visually narrowing the perceived width of alleys through landscaping, paving, and placement of garages or Accessory Dwelling Units ensures that they are not used for traffic. If well designed, they can be part of a total pedestrian pathway system through the neighborhood.
3. Provide alleys wherever possible, especially in new development. In existing neighborhoods, partial alleys can be provided.



b. Required Elements. Multi-dwelling development must meet the requirements of either:

1. Alley Type 1 (please see figure below)
2. Alley Type 2 (please see figure below)

Figure1. Alley Types



Examples of low landscape buffer treatments for an alley.

Alley Standards Type 1		
a	Travel Way Width	14 feet
b	Low Landscape Buffer	7.25 feet, each side

Alley Standards Type 2		
a	Travel Way Width	20 feet, minimum

8. Landscaping

a. Characteristics.

1. Use landscape elements, particularly plant materials, in an organized and harmonious manner that will enhance, protect and promote the economic, ecological, and aesthetic environment of McMinnville.
2. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. The City recognizes the value of landscaping in achieving the following objectives:
 - a. Reduce soil erosion and the volume and rate of discharge of stormwater runoff.
 - b. Aid in energy conservation by shading structures from energy losses caused by weather and wind.
 - c. Mitigate the loss of natural resources.
 - d. Provide parking lot landscaping to reduce the harmful effects of heat, noise, and glare associated with motor vehicle use.
 - e. Create safe, attractively landscaped areas adjacent to public streets.
 - f. Require the planting of street trees along the City's rights-of-way.
 - g. Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character, and value of existing neighborhoods.
 - h. Provide shade, and seasonal color.
 - i. Reduce glare, noise, and heat.
 - j. Promote compatibility between land uses by reducing the visual noise and lighting impacts of specific developments on users of the site and abutting properties.
 - k. Unify development and enhance and define public and private places.
 - l. Preserve existing mature trees.
 - m. Enhance the urban forest and tree canopy.
 - n. Encourage the use of plants native to the Willamette Valley to the maximum extent feasible, in order to reduce watering requirements and agricultural chemical applications, and to provide a sense of regional identity with plant communities unique to the area.
 - o. Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.
 - p. Support McMinnville as a community that cares about its appearance. It is further recognized that landscaping increases property values, attracts potential residents and businesses to McMinnville, and creates safer, more pleasant

living and working environments for all residents and visitors to the city.

- b. Required Elements.
 - 1. All areas of the site not occupied by the structures or paved areas shall be landscaped in an attractive and functional manner.
 - 2. A minimum of 20 percent of the net site shall be landscaped. Paved pedestrian paths, when integrated within the landscaped area, may satisfy up to 5 percent of this requirement. Landscaped setback areas, landscaped common open spaces, eco-roofs, vegetated stormwater facilities, preserved natural areas, and planter areas can be credited toward the minimum landscape standard.
- 9. Privacy and Screening
 - a. Characteristics. Low walls or fences are encouraged to provide separation between private open space and common open space, streets, or internal circulation paths. Fences should be designed to integrate with the architecture of the building and add visual interest through the use of materials, color, and detail.
 - b. Required Elements.
 - 1. All fences on the interior of the development shall be no more than 3 feet high. Fences along the rear or side property lines of the development may be up to 6 feet high. Chain-link fences are prohibited.
 - 2. Mechanical and communication equipment and outdoor garbage and recycling areas shall be screened so they are not visible from streets and common open spaces.
 - 3. Utilities such as transformers, heating and cooling, electric meters, and other utility equipment shall not be located within 5 feet of a front entrance and shall be screened with sight-obscuring materials.
 - 4. The placement of balconies above the first story shall not create a direct line of sight into the living spaces or backyards of adjacent residential properties.
- 10. Front Yard.
 - a. Characteristics.
 - 1. For all housing types the front setback—even when it is small or zero, should be designed to provide a transition from the public realm of the street to the private realm of the dwelling.
 - 2. The front setback provides a vital transition between the public area of the street and the private spaces within the dwelling. The smaller the front setback is, the more important the concept of layering public to private spaces becomes. When multi-dwelling units are on the ground floor of the building and face the perimeter of the site and surrounding streets, they must meet the standards of this section.

b. Required Elements.

1. Dwelling units located on the ground floor of the building and facing the perimeter of the site and surrounding streets must meet the requirements of either:

- a. Front Yard Type 1: Neighborhood (please see figure below)
- b. Front Yard Type 2: Urban (please see figure below)

Figure 1. Neighborhood Front Yard

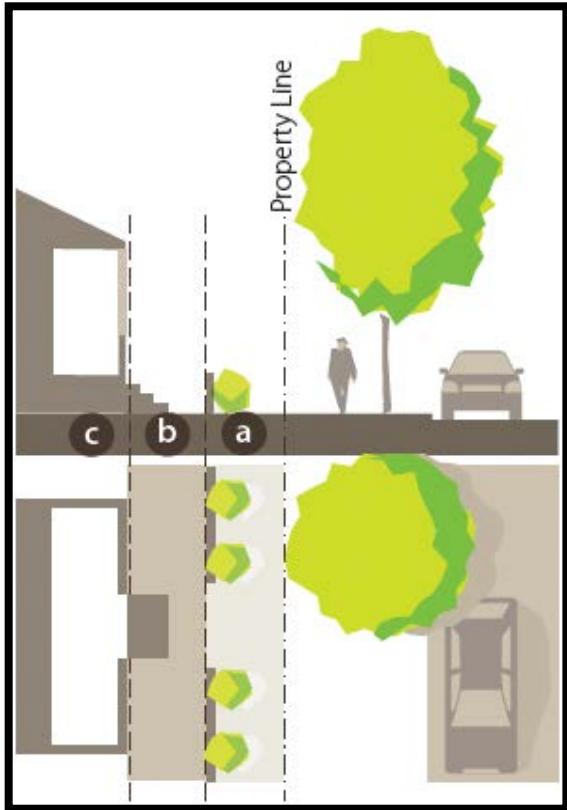
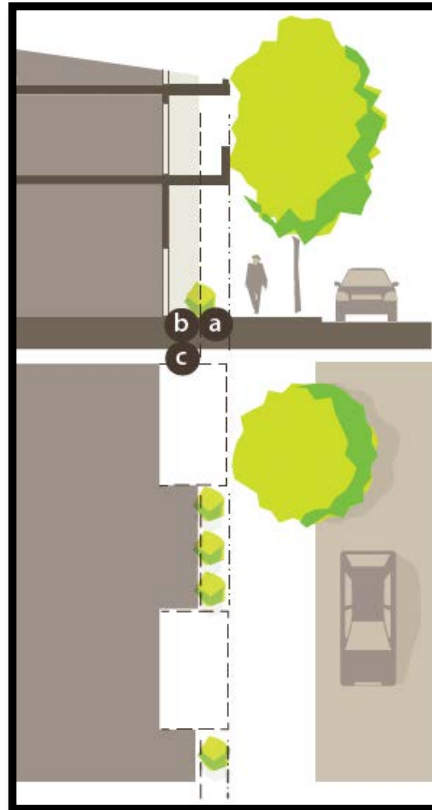


Figure 2. Urban Front Yard



Type 1 Front Yard (Neighborhood Type)

Zone	Requirement	Intent and purpose	Ways to meet the requirement
a	Gateway	Marks the threshold between the public zone of the sidewalk and the private dwelling zone. May provide a location for address identification.	Must provide one of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Low fence <input type="checkbox"/> Low planting—shrubs, grasses
b	Front Yard, Forecourt or Dooryard	Provides habitable and personalize-able outdoor space for the resident.	Fundamental requirements: <ul style="list-style-type: none"> <input type="checkbox"/> A minimum of 5-feet distance between inside edge of Gateway and edge of Porch-Stoop-Terrace <input type="checkbox"/> A paved walkway between sidewalk and entrance, which may be combined with a driveway Must provide one of the following or a combination: <ul style="list-style-type: none"> <input type="checkbox"/> Pedestrian-oriented hardscaped outdoor space <input type="checkbox"/> Lawn or planted area <input type="checkbox"/> Alternative option that meets the intent and purpose
c	Porch, Stoop or Terrace	Provides an outdoor living area that is physically and visually connected to the public realm of the street. Provides opportunities for community interaction. May provide a location for address identification.	Fundamental requirements: The porch, stoop, or terrace must be at least 36 square feet in area and have minimum dimensions of 6 feet by 6 feet; and the porch must have a solid roof. In addition, must provide one of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof

Type 2 Front Yard (Urban Type)

Zone	Requirement	Intent and purpose	Ways to meet the requirement
a	Gateway	Marks the threshold between the public zone of the sidewalk and the private dwelling zone. May provide a location for address identification.	Must provide one of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Low wall <input type="checkbox"/> Change in paving material <input type="checkbox"/> Low fence <input type="checkbox"/> Low planting—shrubs, grasses
b	Front Yard, Forecourt or Dooryard	At a minimum, provides a transitional zone between the domestic realm of the dwelling and the public realm of the street. If larger, it provides a habitable and personalize-able outdoor space for the resident.	Fundamental requirements: Minimum of ten feet in depth.* Must provide one of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof <input type="checkbox"/> Planted area <input type="checkbox"/> Wood decking
c	Porch, Stoop or Terrace	At a minimum, provides an outdoor entry vestibule. If larger, it provides an outdoor living area that is physically and visually connected to the public realm of the street. Provides opportunities for community interaction. May provide a location for address identification.	Fundamental requirements: Minimum of ten feet in depth.* Must provide one of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof <input type="checkbox"/> Recessed area <input type="checkbox"/> Overhanging balcony <input type="checkbox"/> Canopy

*Items b and c may be combined into a single ten foot depth, provided the intent and purpose of each one is met.

11. Compatibility

- a. Characteristics. New multi-dwelling housing should be compatible with its surrounding context while introducing new shape, size, and detail variation, enabling different housing styles and types to sit side-by-side harmoniously.
- b. Required Elements.
 1. On a site with multiple buildings of varying scales (or that vary from the surrounding context), provide a gradual transition between scales. For example, locate dwellings that are similar in scale and density along the street frontage and transition to lower scale and density buildings toward the rear of the site. Use rear driveways and landscaping as a buffer backing up to adjacent properties of a different scale.
 2. Arrange building volumes and setbacks in a way that reflects neighborhood patterns along street frontages and contributes to the desired character.
 3. Arrange courtyard apartments so that end units reflect a neighborhood context of detached units along the street frontage.
 4. Step down taller buildings next to smaller buildings to enable buildings of larger-scale but similar proportions to blend in with surroundings.
 5. Step back upper floors so that the first two stories frame the street and relate to the human scale and reduce the visual impact of the third and higher floor.
- c. Supplemental Elements. In addition to meeting the required elements above, projects must respond to the compatibility requirement in the form of three of the options listed below.
 1. Use roof forms and bays to break up the overall mass of larger residential structures.
 2. Walls incorporate vertical wall offsets, projections, or recesses to reduce building façades into smaller volumes and define visually distinct living unit modules.
 3. Step back upper floors so that the first two stories frame the street and relate to the human scale and reduce the visual impact of the third and higher floor.
 4. Mark a distinct physical transition between the base and upper floors of a building through a change in brick pattern, change in materials and/or wall surface pattern, articulation of a floor line, or change in window types.
 5. Use horizontal elements the entire width of the front façade to mark a break between floors or along the roofline including band course, band molding, bellyband, or belt course.
 6. Use a variation in roof forms on all four elevations of a structure to visually break up monotony including pitched or sloping roof

elements, variations in pitch and height of roof planes, dormers, eaves, gable, or dormer end brackets, corbels, or decorative wood timbers.

7. Limit continuous ridgelines to less than 40 feet in length and continuous eaves to 25 feet in length.
8. Step down taller buildings next to smaller buildings to enable buildings of larger-scale but similar proportions to blend in with surroundings.

12. Wall and Roof Design

a. Characteristics.

1. For buildings that front the street, avoid long, monotonous, uninterrupted walls. Modulate buildings walls and roofs to prevent large, uninterrupted walls and building mass.
2. Differentiate between the base of the building and the top of the building to enhance the pedestrian realm. Make base treatment cohesive across façades and integrate with the architectural character of the building.
3. Multi-dwelling development must address the following design objectives:
 - A. Articulation – All street-facing buildings shall incorporate design elements that break up façades into smaller planes.
 - B. Eyes on the street – A certain percentage of the area of each street-facing façade must be windows or entrance doors.
 - C. Main entrance – On street-facing façades, at least one main entrance must meet standards for location, orientation, and visibility.
 - D. Detailed Design – All street-facing buildings shall include several features.

b. Required Elements.

1. Articulation

- A. For multi-dwelling buildings with 30 to 60 feet of street frontage, a minimum of one of the following elements shall be provided along the street-facing façades.
- B. For buildings with over 60 feet of street frontage, at least one element below shall be provided for every 30 feet of street frontage. Elements shall be distributed along the length of the façade so that there are no more than 30 feet between two elements.
 1. A porch at least 5 feet deep.
 2. A balcony that is at least 2 feet deep and is accessible from an interior room.
 3. A bay window that extends at least 2 feet.
 4. A section of the façade that is recessed by at least 2 feet deep and 6 feet long.
 5. A gabled dormer.

- C. Buildings under 30 feet in length are exempt from these requirements.
- 2. Eyes on The Street
 - A. At least 15 percent of the area of each street-facing façade must be windows or entrance doors. Windows used to meet this standard must be transparent and allow views from the building to the street. Glass blocks and privacy windows in bathrooms do not meet this standard.
 - B. Window area is considered the entire area within the outer window frame, including any interior window grid.
 - C. Doors used to meet this standard must face the street or be at an angle of no greater than 45 degrees from the street.
- 3. Main Entrances. Main entrances must meet both of the following standards.
 - A. Be no further than 8 feet behind the longest street-facing wall of the building.
 - B. Face the street, be at an angle of up to 45 degrees from the street, or open onto a porch. If the entrance opens up onto a porch, the porch must meet all of these additional standards.
 - 1. Be at least 25 square feet in area with a minimum 4 feet depth.
 - 2. Have at least one porch entry facing the street.
 - 3. Have a roof that is no more than 12 feet above the floor of the porch.
 - 4. Have a roof that covers at least 30 percent of the porch area.
- 4. Detailed Design.
 - A. For multi-dwelling buildings with up to 30 feet or more of street frontage, a minimum of two of the elements shall be provided along the street-facing façade or façades.
 - B. For buildings with over 30 feet of street frontage, at least one element shall be provided for every 30 feet of street frontage. Elements shall be distributed along the length of the façade so that there are no more than 30 feet between two elements.
 - 1. Covered porch at least 5 feet deep, as measured horizontally from the face of the main building façade to the edge of the deck, and at least 5 feet wide.
 - 2. Recessed entry area at least 2 feet deep, as measured horizontally from the face of the main building façade, and at least 5 feet wide.
 - 3. Offset on the building face of at least 16 inches from one exterior wall surface to the other.
 - 4. Dormer that is at least 4 feet wide and integrated into the roof form.

5. Roof eaves with a minimum projection of 12 inches from the intersection of the roof and the exterior walls.
6. Roofline offsets of at least 2 feet from the top surface of one roof to the top surface of the other.
7. Tile or wood shingle roofs.
8. Horizontal lap siding between 3 to 7 inches wide (the visible portion once installed). The siding material may be wood, fiber-cement, or vinyl.
9. Brick, cedar shingles, stucco, or other similar decorative materials covering at least 40 percent of the street-facing façade.
10. Gable roof, hip roof, or gambrel roof design.
11. Window trim around all windows at least 3 inches wide and 5/8 inches deep.
12. Window recesses, in all windows, of at least 3 inches as measured horizontally from the face of the building façade.
13. Balcony that is at least 3 feet deep, 5 feet wide, and accessible from an interior room.
14. Bay window at least 2 feet deep and 5 feet long.
15. One roof pitch of at least 500 square feet in area that is sloped to face the southern sky and has its eave line-oriented within 30 degrees of the true north/ south axis.

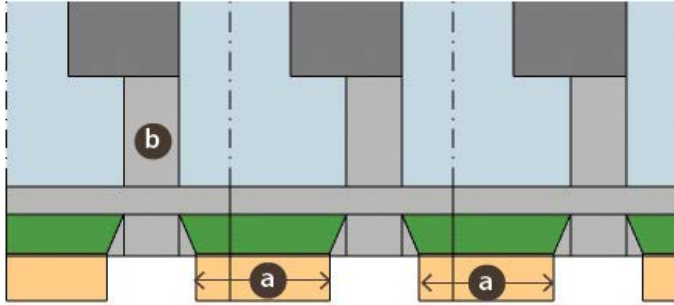
17.11.110 Universal Design Standards. The universal design standards are standards that apply to the following housing types: Tiny Houses, Cottage Clusters, Plexes, Single Dwellings, Townhouses and ADUs. These standards are related to site design, street frontage, architectural design, parking, compatibility with neighboring homes, open space, and private space requirements.

<u>Universal Design Standard</u>	Tiny House	Cottage Cluster	Plex	Single Dwelling	Town-house	ADU
Façade	X	X	X	X	X	X
Street Frontage	X	X	X	X	X	X
Front Yard	X	X	X	X	X	X
Alleys	X	X	X	X	X	X
Garages	X	X	X	X	X	X
Compatibility	X	X	X	X	X	X

- A. Façade. Welcoming facades contribute to the overall character of the neighborhood, promoting a safe, walkable, and bikable place.
1. Characteristics. The façade faces the street, or common greens, courtyards, or other common open spaces. It should be inviting with entry structures, such as porches, front doors and windows and other human-scaled elements. When dwellings have car access from the street, paved areas and garages should not dominate.
 2. Guiding Principles.
 - a. Garages that do not dominate. Entrances should be more prominent than garages.
 - b. Pair garages where possible to maximize planting strip and potential for street trees.
 - c. Entrances and windows that face the street, avoid blank walls. Emphasize private, ground-level entries to individual units when appropriate to the housing types, such as townhouses and plexes.
 - d. Building elements (lighting, repeating projects, bay windows, etc.) and private open space projections (balconies, porches, terraces, etc.) provide functional living space for residents and break up large façades.
 3. Fundamental Requirements.
 - a. Windows utilizing clear glass and/or doors, excluding garage doors, shall occupy a minimum of 25 percent of the overall area of the street-facing facade.
 - b. Except for dwellings on the flag portion of flag lots or on private access easements with no street frontage, the primary entrance shall be oriented toward the street which the dwelling faces.
 - c. At least one primary entrance for each structure must either:
 1. Directly face onto the street right-of-way.
 2. Be at an angle of up to 45 degrees from the street.
 3. Open onto a porch. The porch must be at least 25 square feet in area and have one entrance facing the street or have a roof.
 4. Face a central courtyard space or common open space that is adjacent to the street and abutted by dwellings on at least two sides.
 - d. Where a building is on a corner lot and fronts on two abutting streets, a dwelling unit on the corner of the building needs to be oriented to only one of the streets.
- B. Street Frontage. A common characteristic of McMinnville’s residential neighborhoods is a green leafy street edge that is created by street trees, and the planted strip between the sidewalk and the curb. When trees are given enough room for their roots to mature successfully, their branches shade the sidewalk and may even form a canopy over the street.

1. Characteristics.
 - a. Minimizing driveway curb cuts maximizes the value of the planter strip.
 - b. Uninterrupted curb space also provides a safer pedestrian environment and room for parking on the street.
2. Guiding Principles.
 - a. Even while introducing a variety of housing types and lot sizes (and widths), maintain the maximum amount of uninterrupted and generous plant strip for street trees.
 - b. Promote a healthy canopy of street trees in McMinnville's residential neighborhoods.
 - c. Provide parking space at the rear of the lot via an alley.
 - d. Space street-facing driveways far enough apart for street trees to be planted at frequent intervals.
 - e. Pair street-facing driveways to create more space for trees
 - f. Coordinate the spacing of street trees with the spacing of utilities' access across the plant strip
3. Fundamental Requirements.
 - a. Dwelling units with alley access must provide access off the alley to attached garages located behind the dwelling.
 - b. Choose from the following Frontage Types:
 1. Frontage Type 1: Front-Loaded Parking (See figure below)
 2. Frontage Type 2: Front-Loaded Parking with Paired Driveways (See figure below)
 3. Frontage Type 3: Alley-Loaded Parking (See figure below)

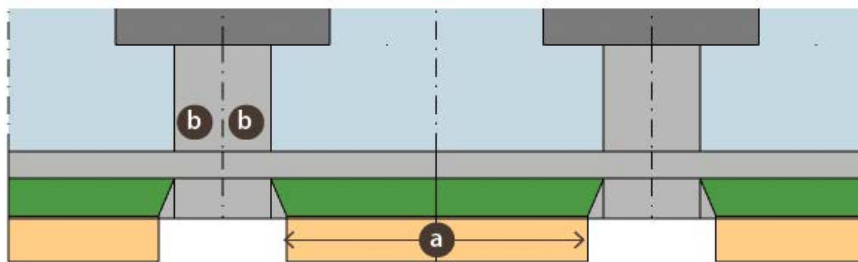
Frontage Type 1: Front-Loaded Parking



Frontage Type 1: Front-Loaded Parking

a	Minimum distance between driveways	24 feet
b	Maximum driveway width	40 percent of frontage

Frontage Type 2: Front-Loaded Parking with Paired Driveways

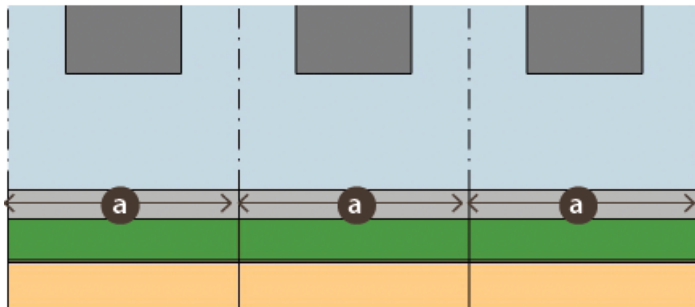


Frontage Type 2: Front-Loaded Paired Parking

a	Minimum distance between driveways	30 feet
b	Maximum driveway width	20 feet*

*Excludes the driveway approach width

Frontage Type 3: Alley-Loaded Parking



Frontage Type 3: Alley-Loaded Parking

a	Minimum street frontage width	Refer to development standards by housing type
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- C. Front Yard. The front setback provides a vital transition between the public area of the street and the private spaces within the dwelling. The smaller the front setback is, the more important the concept of layering public to private spaces becomes
1. Characteristics.
 - a. A typical three-part approach to layering is a low-fence at the back of the sidewalk, a landscaped paved dooryard, and before the entrance to the dwelling – a porch, a stoop or a terrace.
 - b. For very small front setbacks, vertical distance can make up for the lack of horizontal separation.
 2. Guiding Principle. For all housing types the front setback—even when it is small or zero, should be designed to provide a transition from the public realm of the street to the private realm of the dwelling.
 3. Fundamental Requirements.
 - a. Must choose from the following Front Yard Types:
 1. Front Yard Type 1: Neighborhood (see figure below)
 2. Front Yard Type 2: Urban (see figure below)



Type 1 Front Yard (Neighborhood Type)			
Zone	Requirement	Intent and purpose	Ways to meet the requirement
a	Gateway	Marks the threshold between the public zone of the sidewalk and the private dwelling zone. May provide a location for address identification.	Must provide one of the following: <input type="checkbox"/> Low fence <input type="checkbox"/> Low planting—shrubs, grasses
b	Front Yard, Forecourt or Dooryard	Provides habitable and personalize-able outdoor space for the resident.	Fundamental requirements: <input type="checkbox"/> A minimum of 5-feet distance between inside edge of Gateway and edge of Porch-Stoop-Terrace <input type="checkbox"/> A paved walkway between sidewalk and entrance, which may be combined with a driveway Must provide one of the following or a combination: <input type="checkbox"/> Pedestrian-oriented hardscaped outdoor space <input type="checkbox"/> Lawn or planted area <input type="checkbox"/> Alternative option that meets the intent and purpose
c	Porch, Stoop or Terrace	Provides an outdoor living area that is physically and visually connected to the public realm of the street. Provides opportunities for community interaction. May provide a location for address identification.	Fundamental requirements: The porch, stoop, or terrace must be at least 36 square feet in area and have minimum dimensions of 6 feet by 6 feet; and the porch must have a solid roof. In addition, must provide one of the following: <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof

Type 2 Front Yard (Urban Type)			
Zone	Requirement	Intent and purpose	Ways to meet the requirement
a	Gateway	Marks the threshold between the public zone of the sidewalk and the private dwelling zone. May provide a location for address identification.	Must provide one of the following: <input type="checkbox"/> Low wall <input type="checkbox"/> Change in paving material <input type="checkbox"/> Low fence <input type="checkbox"/> Low planting—shrubs, grasses
b	Front Yard, Forecourt or Dooryard	At a minimum, provides a transitional zone between the domestic realm of the dwelling and the public realm of the street. If larger, it provides a habitable and personalize-able outdoor space for the resident.	Fundamental requirements: Minimum of ten feet in depth.* Must provide one of the following: <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof <input type="checkbox"/> Planted area <input type="checkbox"/> Wood decking
c	Porch, Stoop or Terrace	At a minimum, provides an outdoor entry vestibule. If larger, it provides an outdoor living area that is physically and visually connected to the public realm of the street. Provides opportunities for community interaction. May provide a location for address identification.	Fundamental requirements: Minimum of ten feet in depth.* Must provide one of the following: <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof <input type="checkbox"/> Recessed area <input type="checkbox"/> Overhanging balcony <input type="checkbox"/> Canopy

*Items b and c may be combined into a single ten foot depth, provided the intent and purpose of each one is met.

D. Alleys. Alleys are critical in limiting the number of driveways accessing lots from the street edge. They also allow for housing types, especially those that occupy narrow lots, such as townhouses or tiny houses, to sit alongside more conventional lot widths.

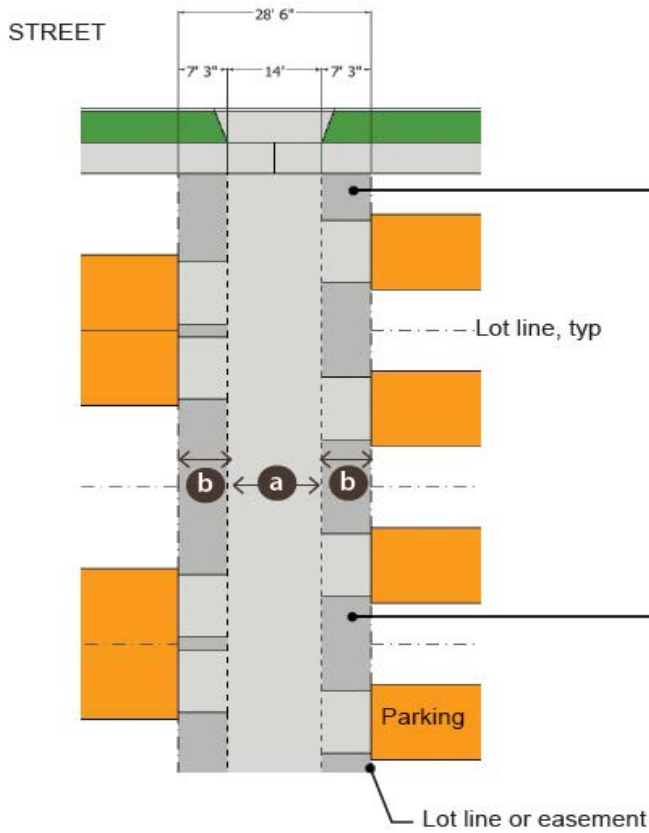
1. Characteristics.

- a. Alleys vary in width and can be public right of way or private easement.
- b. Visually narrowing the perceived width of alleys through landscaping, paving, and placement of garages or Accessory Dwelling Units ensures that they are not used for traffic.
- c. If well designed, they can be part of a total pedestrian pathway system through the neighborhood
- d. The design, paving, maintenance, and lighting of alleys is important to ensure they function properly and are safe and attractive.



- 2. Guiding Principle. Provide alleys wherever possible, especially in new subdivisions. In existing neighborhoods, partial alleys can be provided.
- 3. Fundamental Requirements. Must choose from the following Alley Types:
 - a. Alley Type 1 (see figure below)
 - b. Alley Type 2 (see figure below)

Figure: Alley Types



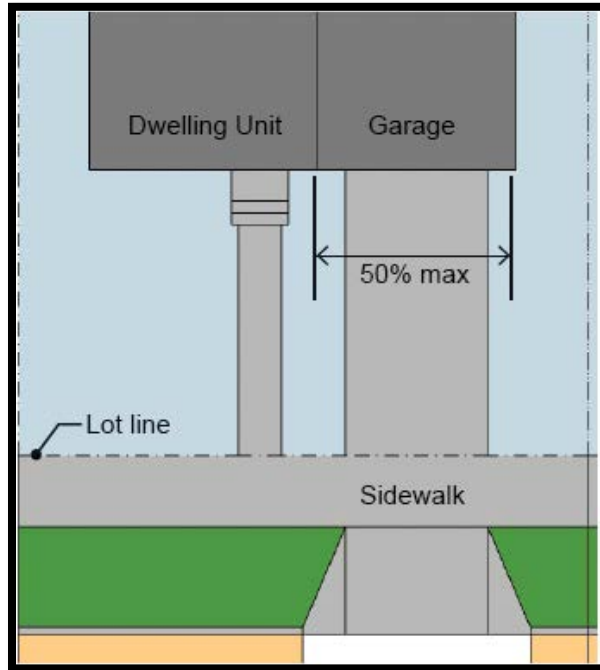
Examples of low landscape buffer treatments for an alley.

Alley Standards Type 1		
a	Travel Way Width	14 feet
b	Low Landscape Buffer	7.25 feet, each side

Alley Standards Type 2		
a	Travel Way Width	20 feet, minimum

- E. **Garages.** These standards apply to all garages that are accessory to a dwelling whether they are attached or detached to the primary dwelling.
 - 1. **Length of Street Facing Garage Wall.**
 - a. The length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building façade. See Figure below.

Figure 1. Garage Percentage



- b. Where the street-facing façade of the building is less than 24 feet long, the garage wall facing the street may be up to 12 feet long if there is one of the following.
- c. Interior living area above the garage. The living area must be set back no more than 4 feet from the street-facing garage wall, or a covered balcony above the garage that is:
 1. At least the same length as the street-facing garage wall;
 2. At least 6 feet deep; and
 3. Accessible from the interior living area of the dwelling unit.
2. Garage setback.
 - a. A garage wall that faces a street may be no closer to the street lot line than the longest street-facing wall of the dwelling unit.
 - b. Whether attached to a residence or as a separate structure, a covered storage facility (garage) for a vehicle on which the main opening is toward a street shall be located not less than 20 feet from the property line bordering the street.
3. Exceptions.
 - a. Garage that is less than half the façade width and flush with porch façade.
 1. A street-facing garage wall may be up to 6 feet in front of the longest street-facing wall of the dwelling unit, if:
 - A. The street-facing garage wall is 40 percent or less of the length of the building façade; and
 - B. There is a porch at the main entrance. The garage wall may not be closer to the street lot line than the front of the porch.

The porch must meet the standards for porches as set out in Universal Standards: Front Yard. (17.11.110(C))

- b. Sideways-Facing Garages. The garage may extend in front of the house when:
 - 1. It is oriented perpendicular to the street and fronts on a paved court. The sidewall of the garage must meet the requirements of the Length of the street-facing garage wall.
 - 2. The sidewall of the garage - which in this case is the street-facing façade - must meet the requirements of Façade Universal Standards.
 - 3. In addition, the garage must meet the front setback requirements of the underlying zone.
- c. Garages Adjacent to Alleys. A garage adjacent to an alley may have a zero-foot setback from the alley if allowed in the Development Standards table for the applicable housing type.

F. Compatibility

- 1. Guiding Principle. New housing should be compatible with its surrounding context while introducing new shape, size and detail variation, enabling different housing styles and types to sit side-by-side harmoniously.
- 2. Fundamental Requirements - Siting.
 - a. Single dwellings, duplexes, triplexes, quadplexes, tiny houses, and dwellings within cottage clusters that are of the same or very similar design must be separated by at least two lots and may not be directly across from one another. Similar design consists of exterior elevations that utilize the same or similar rooflines, projections, garage doors, paint colors, building materials, window sizes and orientation.
 - b. On a site with multiple buildings of varying scales (or that vary from the surrounding context), provide a gradual transition between scales. For example, locate dwellings that are similar in scale and density along the street frontage and transition to lower scale and density buildings toward the rear of the site. Use rear driveways and landscaping as a buffer backing up to adjacent properties of a different scale.
 - c. Arrange building volumes and setbacks in a way that reflects neighborhood patterns along street frontages and contributes to the desired character.
 - d. Arrange courtyard apartments so that end units reflect a neighborhood context of detached units along the street frontage.
- 3. Fundamental Requirements – Human Scale Design. Front and public-facing building facades must meet all of the following requirements:
 - a. Facades shall provide vertical offsets, projections, or recesses to break up the building façade. Vertical projections may encroach into exterior side yard setbacks by up to 20 percent of the required setback distance.

- b. Elevations shall include horizontal elements the width of the façade. The horizontal elements shall mark the break between floors or be located along rooflines, and may include fascia, band course, band molding, bellyband, or belt course.
 - c. A minimum of two types of building materials shall be used on the front elevations.
 - d. Trim with a minimum size of 3 inches on all windows.
 - e. In addition, front and public-facing building facades must provide at least four of the following options:
 - 1. Windows
 - 2. Gables
 - 3. Dormers
 - 4. Architectural Bays
 - 5. Awnings made of fabric, metal or wood framed
 - 6. Change in wall planes
 - 7. Ground floor wall lights/sconces
 - 8. Transom windows
 - 9. Balconies or decks
 - 10. Columns or pilasters – not decorative
4. Supplemental Requirements. Project must provide a minimum of three of the following elements.
- a. Use roof forms and bays to break up the overall mass of larger dwellings and reflect the building forms and scale of single dwellings.
 - b. Pair units under a single roof form and distinct building volume to provide massing reflective of detached dwellings.
 - c. Walls incorporate vertical wall offsets, projections, or recesses to reduce building façades into smaller volumes and define visually distinct living unit modules.
 - d. Step back upper floors so that first two stories frame the street and relate to the human scale and reduce visual impact of the third and higher floor.
 - e. Mark a distinct physical transition between the base and upper floors of a building through a change in brick pattern, change in materials and/or wall surface pattern, articulation of a floor line, or change in window types.
 - f. Use horizontal elements the entire width of the front façade to mark break between floors or along roofline including band course, band molding, bellyband, or belt course.
 - g. Use a variation in roof forms on all four elevations of a structure to visually break up monotony including pitched or sloping roof elements, variations in pitch and height of roof planes, dormers, eaves, gable, or dormer end brackets, corbels, or decorative wood timbers.
 - h. Limit continuous ridgelines to less than 40 feet in length and continuous eaves to 25 feet in length.

- i. Step down taller buildings next to smaller buildings to enable buildings of larger-scale but similar proportions to blend in with surroundings.

17.11.120 Planned Development Residential Design and Development Standards. Chapter 17.51 of the McMinnville Municipal Code allows for planned development overlays in McMinnville as a means of providing greater flexibility and greater freedom of design in the development of land than may be possible under strict interpretation of the provisions of the zoning ordinance. McMinnville encourages residential planned developments as a means of achieving the City’s adopted Great Neighborhood Principles.

A. Guiding Principles.

1. Appropriate site size and scale. Small to medium sites (10,000 square feet to 40,000 square feet) should act as infill sites and respond to the surrounding neighborhood in scale, character, building design, details and materials. Large sites (over 40,000 square feet) should provide a variety of housing types, centralized common open space, and an interconnected system of streets and pathways that connect to the surrounding neighborhood.
2. Livability. Residential Planned Developments should contribute to a livable neighborhood by incorporating visually pleasing design, minimizing the impact of vehicles, emphasizing pedestrian and bicycle connections, and providing public and private open spaces for outdoor use.
3. Compatibility. Residential Developments should have a scale that is appropriate for the surrounding neighborhood and maintains the overall residential character of McMinnville.
4. Safety and Functionality. Developments should be safe and functional, by providing visibility into and within a residential development and by creating a circulation system that prioritizes bicycle and pedestrian safety.
5. Enduring quality. Residential Planned Developments should incorporate design and building practices that promote the economic, ecological, and aesthetic environment of McMinnville, such as energy conservation, preservation of trees and open space, and quality building materials.

B. Required Elements, Great Neighborhood Principles. All residential planned developments shall meet the Great Neighborhood Principles as identified below.

1. Natural Feature Preservation. Neighborhoods shall be designed to preserve significant natural features including, but not limited to, watercourses, sensitive lands, steep slopes, wetlands, wooded areas, and landmark trees.
2. Scenic Views. Public and private open spaces and streets shall be located and oriented to capture and preserve scenic views, including,

- but not limited to, views of significant natural features, landscapes, vistas, skylines, and other important features.
3. Parks and Open Spaces.
 - a. Parks, trails, and open spaces shall be provided at a size and scale that is variable based on the size of the proposed development and the number of dwelling units.
 - b. Central parks and plazas shall be used to create public gathering spaces where appropriate.
 - c. Neighborhood and community parks shall be developed in appropriate locations consistent with the policies in the Parks Master Plan.
 4. Pedestrian Friendly.
 - a. Neighborhoods shall include a pedestrian network that provides for a safe and enjoyable pedestrian experience, and that encourages walking for a variety of reasons including, but not limited to, health, transportation, recreation, and social interaction.
 - b. Pedestrian connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces, and shall also be provided between streets that are disconnected (such as cul-de-sacs or blocks with lengths greater than 400 feet).
 5. Bike Friendly.
 - a. Neighborhoods shall include a bike network that provides for a safe and enjoyable biking experience, and that encourages an increased use of bikes by people of all abilities for a variety of reasons, including, but not limited to, health, transportation, and recreation.
 - b. Bike connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces.
 6. Connected Streets.
 - a. Streets shall be designed to function and connect with the surrounding built environment and the existing and future street network, and shall incorporate human scale elements including, but not limited to, Complete Streets features as defined in the Comprehensive Plan, grid street networks, neighborhood traffic management techniques, traffic calming, and safety enhancements.
 - b. Streets shall be designed to encourage more bicycle, pedestrian and transit mobility with a goal of less reliance on vehicular mobility.
 7. Accessibility.
 - a. To the best extent possible all features within a neighborhood shall be designed to be accessible and feature elements and principles of Universal Design.
 - b. Design practices should strive for best practices and not minimum practices.
 8. Human Scale Design.
 - a. The size, form, and proportionality of development is designed to function and be balanced with the existing built environment.

- b. Buildings include design elements that promote inclusion and interaction with the right-of-way and public spaces, including, but not limited to, building orientation towards the street or a public space and placement of vehicle-oriented uses in less prominent locations.
 - c. Public spaces include design elements that promote comfortability and ease of use at a human scale, including, but not limited to, street trees, landscaping, lighted public areas, and principles of Crime Prevention through Environmental Design (CPTED).
 - 9. Mix of Activities.
 - a. Neighborhood destinations including, but not limited to, neighborhood-serving commercial uses, schools, parks, and other community services, shall be provided in locations that are easily accessible to surrounding residential uses.
 - b. Neighborhood-serving commercial uses are integrated into the built environment at a scale that is appropriate with the surrounding area.
 - c. Neighborhoods are designed such that owning a vehicle can be optional.
 - 10. Urban-Rural Interface. Buffers or transitions in the scale of uses, buildings, or lots shall be provided on urban lands adjacent to rural lands to ensure compatibility.
 - 11. Housing for Diverse Incomes and Generations. A range of housing forms and types shall be provided and integrated into neighborhoods to provide for housing choice at different income levels and for different generations.
 - 12. Housing Variety.
 - a. Neighborhoods shall have several different housing types.
 - b. Similar housing types, when immediately adjacent to one another, shall provide variety in building form and design.
 - 13. Unique and Integrated Design Elements. Residential Planned Developments shall be encouraged to have:
 - a. Environmentally friendly construction techniques, green infrastructure systems, and energy efficiency incorporated into the built environment.
 - b. Opportunities for public art provided in private and public spaces.
 - c. Neighborhood elements and features including, but not limited to, signs, benches, park shelters, street lights, bike racks, banners, landscaping, paved surfaces, and fences, with a consistent and integrated design that are unique to and define the neighborhood.
- C. Required Elements, Common Open Space. All Residential Planned Developments over four units shall meet the fundamental and supplemental requirements for Common Open Space.
 - 1. Characteristics.
 - a. Common open spaces offer residents social and health benefits while also defining and bringing character to a development.
 - b. Common open spaces may include shared recreational facilities such as play areas, sports fields or swimming pools; rooftop decks

that prompt interaction and include shared amenities such as grills, play space, or seating.

2. Guiding Principles.

- a. Common open space should be appropriately located so users feel safe and residents take ownership and responsibility for the shared space.
- b. The design should take into account its relationship to units, entries, and windows, as well as how landscaping or other barriers may impact sight corridors.
- c. Common open spaces should have clear intended uses with visual cues to inform users as to the desired function.
- d. Avoid large, hard-surfaced or landscaped areas that lack furnishings or other design elements suggesting specific activities.
- e. Break down large spaces into smaller, comfortable outdoor rooms through the use of fencing or low walls, furnishings and lighting, building placement, and plantings.
- f. Sensitive design will produce greater benefits than expensive materials or furnishings and certainly more options for use than large undefined open areas

3. Fundamental Requirements.

- a. A common open space shall be provided that is centrally located and designed with a clear function that enhances the livability of residents in the planned development. These functions shall include passive and active uses. The open space shall be accessible to all residents and if possible be fronted by clearly defined unit entrances. The common open space shall serve as the focus of surrounding buildings. Entries and windows shall face the common open space to provide informal surveillance. Common open space shall be accessible to all residents.
- b. Common open space shall be a minimum of 15 percent of the planned development. Passive open space shall not be more than 5 percent of the planned development.
- c. When vehicular areas are located between dwellings and common open space, clearly defined pathways shall be provided to enhance pedestrian safety.
- d. Pathway surface shall be clearly marked and differentiated from the vehicular area with paint or alternative paving material.
- e. Common open space shall have a minimum dimension of 20 feet at the narrowest part.
- f. Walkways are required between dwellings and common open space.

4. Supplemental Requirements. Provide at least four of the options listed below.

- a. Provide opportunities for formal and informal recreational use by residents of all ages. This could be a shared recreational facility

including sport fields, play structure, bike track, courts, swimming pool, or other options.

- b. Provide tall deciduous trees for summer shade and winter solar access. When possible preserve and incorporate large existing trees at least 9 inches in diameter as a focal point of open spaces.
- c. Enhance the usability of the space through the inclusion of elements including seating, outdoor lighting, weather protection and/or shade structures, and art, among other features.
- d. Incorporate landscaping that receives at least 50 percent of its irrigation from harvested rainwater.
- e. Provide opportunities for food cultivation. Include a community garden and/or incorporate cultivated species into the landscaping.

D. Supplemental Elements, Consideration

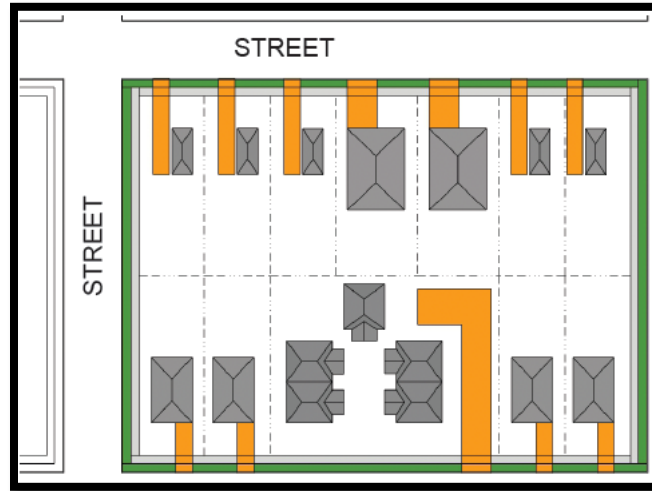
1. Modular Block Layouts.

- a. An intermix of housing types is possible if blocks are platted with a lot width module that can be aggregated. If lots are increments of 25 to 30 feet wide and can be aggregated into lots that are 50 or 60 feet wide (or 75 or 90 feet wide), a wide variety of dwelling types can occupy the same block.
 - 1. For example, narrow lot dwellings such as townhouses or tiny houses on 25 foot lots may sit next to larger lot dwellings such as courtyard apartments or cottage clusters on a 50- or 75-foot lot.
- b. In a new planned development, the greatest flexibility for lot variety is provided by having an alley serve as parking and driveway to each lot (see Figure “Block with Alley”).
- c. When parking is accessed via a driveway from the front of the lot, the lot width is governed by frontage requirements of Universal Design Standards – Street Frontage, and the minimum lot width will be 40 feet (see Figure “Block without Alley”).

Figure. Block with Alley.

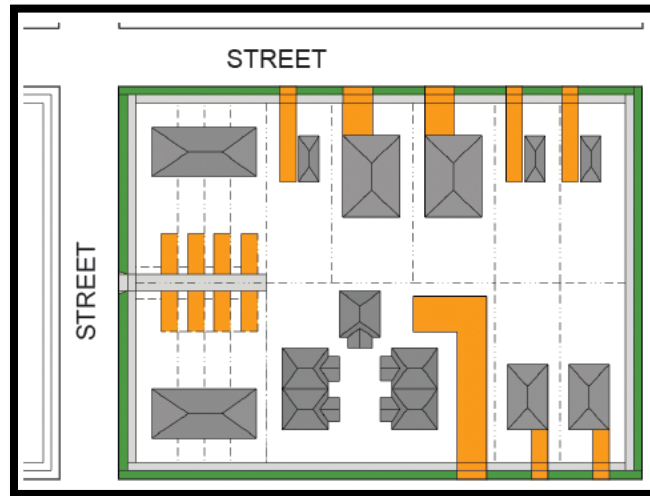


Figure. Block without Alley



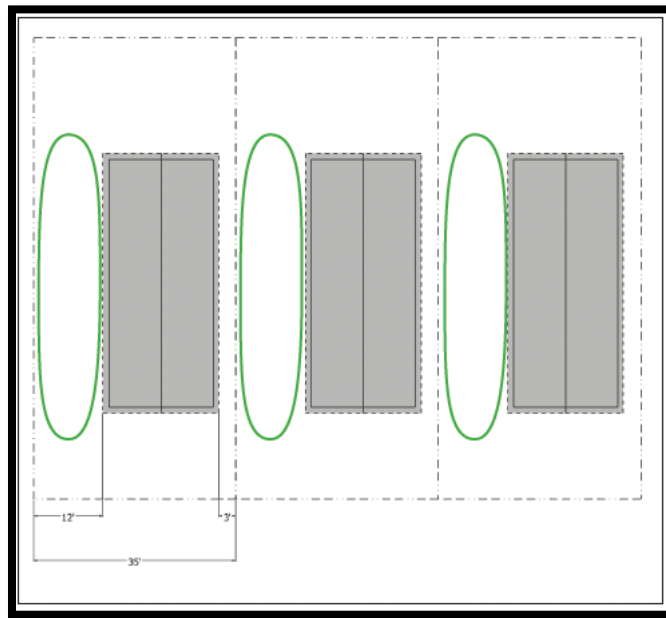
2. Block lengths.
 - a. Most housing types can be accommodated on blocks that are 200 to 220 feet deep and 200 to 350 feet wide, with an alley easement or dedicated right of way.
 - b. In an infill setting, narrow lot housing types may be “infilled” between more conventional larger-lot detached homes. The intermixing of lot widths ensures that affordable compact housing types can sit side-by-side with detached single dwellings. Cottage clusters and smaller-scale apartments, such as garden apartments or walk-up apartments, can be intermixed on lots that have been aggregated. Such apartments buildings need to be sized and designed to fit into the neighborhood context.
3. Partial alley at the end of a block. A partial alley is where an alley is used to provide access to parking at the rear of lots, in lieu of driveways located at the front of the lot (see Figure, Partial Alley Block). Turnarounds are not required for partial alleys.
 - a. Option 1: The total number of lots and units served by a partial alley shall be [six lots], but no more than [six units].
 - b. Option 2: The total number of lots and units served by a partial alley, if more than [six lots] or [six units], shall be approved by the Fire Marshal.

Figure. Hybrid Block Layout with Partial Alley



5. Usable Side Yard Setback. Optional for Tiny Homes, Plexes, and Single Dwellings in Residential Planned Developments. A usable side yard setback development is where dwelling units sharing street frontage are shifted to one side of their lot, to within 3 feet of the property line. This provides for greater usable yard space on each lot. These developments require that the planning for all of the house locations be done at the same time
 - a. Building setbacks. The side yard setback on one side of the house may be reduced to 3 feet. This reduction does not apply to the side yard setback adjacent to a street, or to the side yard setback adjacent to lots that are not part of the usable side yard setback project.
 - b. All other development standards that apply to the housing type must be met, (e.g., distance between driveways).
 - c. A deed restriction must be recorded on the deed of each applicable lot to ensure the continued fulfillment of this setback.
 - d. Eaves on the side of a house with a reduced setback must comply with proper fire separation requirements.
 - e. Consider the privacy of neighboring properties by designing homes with higher windows on the narrow setback side.

Figure. Usable side yard setbacks provide more space for each home.



**PROPOSED AMENDMENTS TO THE MCMINNVILLE MUNICIPAL CITY CODE –
TITLE 17, ZONING ORDINANCE**

New proposed language is represented by ***bold italic font***, deleted language is represented by ~~strikethrough font~~.

ZONING*

Chapters:

<u>17.03</u>	<u>General Provisions</u>
<u>17.06</u>	<u>Definitions</u>
<u>17.09</u>	<u>Zone Classifications, Boundaries, and Maps</u>
<u>17.10</u>	<u>Area and Master Planning Process</u>
<u>17.11</u>	<u><i>Residential Design and Development Standards</i></u>
<u>17.12</u>	<u><i>R-1 Low-Density, 9000SF Lot Residential Zone</i></u>
<u>17.15</u>	<u><i>R-2 Low-Density, 7000SF Lot Residential Zone</i></u>
<u>17.18</u>	<u><i>R-3 Medium-Density, 6000SF Lot Residential Zone</i></u>
<u>17.21</u>	<u><i>R-4 Medium, High-Density, 5000SF Lot Residential Zone</i></u>
<u>17.22</u>	<u><i>R-5 High-Density, Multiple-Dwelling Residential Zone</i></u>
17.12	R-1 Single-Family Residential Zone
17.15	R-2 Single-Family Residential Zone
17.18	R-3 Two-Family Residential Zone
17.21	R-4 Multiple-Family Residential Zone
17.22	R-5 Multiple-Family Residential Zone
<u>17.24</u>	<u>O-R Office/Residential Zone</u>
<u>17.27</u>	<u>C-1 Neighborhood Business Zone</u>
<u>17.30</u>	<u>C-2 Travel Commercial Zone</u>
<u>17.33</u>	<u>C-3 General Commercial Zone</u>
<u>17.36</u>	<u>M-L Limited Light Industrial Zone</u>
<u>17.39</u>	<u>M-1 Light Industrial Zone</u>
<u>17.42</u>	<u>M-2 General Industrial Zone</u>
<u>17.45</u>	<u>AH Agricultural Holding</u>
<u>17.48</u>	<u>F-P Flood Plain Zone</u>
<u>17.50</u>	<u>Neighborhood Activity Center Overlay District</u>
<u>17.51</u>	<u>Planned Development Overlay</u>
<u>17.52</u>	<u>Airport Overlay Zone</u>
<u>17.53</u>	<u>Land Division Standards</u>
<u>17.54</u>	<u>General Regulations</u>
<u>17.55</u>	<u>Wireless Communication Facilities</u>
<u>17.56</u>	<u>Large Format Commercial Development</u>
<u>17.57</u>	<u>Landscaping</u>
<u>17.58</u>	<u>Trees</u>
<u>17.59</u>	<u>Downtown Design Standards and Guidelines</u>

* Prior ordinance history: Ord. 3380 as amended by Ords. 3392, 3441, 3497, 3557, 3565, 3603, 3614, 3633, 3677, 3694, 3707, 3742, 3764, 3803, 3817, 3888, 3898, 3925, 3933, 3966, 3967, 3968, 3983, 3995, 4001, 4011, 4017, 4025, 4043, 4046, and 4066.

<u>17.60</u>	<u>Off-Street Parking and Loading</u>
<u>17.61</u>	<u>Solid Waste and Recycling Enclosure Plan</u>
<u>17.62</u>	<u>Signs</u>
<u>17.63</u>	<u>Nonconforming Uses</u>
<u>17.64</u>	<u>Marijuana Related Activities</u>
<u>17.65</u>	<u>Historic Preservation</u>
<u>17.66</u>	<u>City Center Housing Overlay Zone</u>
<u>17.67</u>	<u>Home Occupations</u>
<u>17.72</u>	<u>Applications and Review Process</u>
<u>17.74</u>	<u>Review Criteria</u>

Chapter 17.06

DEFINITIONS

[...]

Accessory Dwelling Unit – A secondary, self-contained single-family dwelling that may be allowed only in conjunction with a detached single-family dwelling. An accessory dwelling unit is subordinate in size, location, and appearance to the primary detached single-family dwelling. An accessory dwelling unit generally has its own outside entrance and always has a separate kitchen, bathroom and sleeping area. An accessory dwelling may be located within, attached to or detached from the primary single-family dwelling.

[...]

Cottage Cluster – *A grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard; A city may allow Cottage Cluster units to be located on a single Lot or Parcel, or on individual Lots or Parcels.*

[...]

Dwelling, Common-Wall – See “Common Wall Construction.”

Dwelling, Multiple Family – A building containing ~~three~~ **five** or more dwelling units.

Dwelling, Single Detached Family – A detached building containing one dwelling unit.

Dwelling, Single Attached – *A dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least 25 percent of the length of the side of the building. The shared or abutting walls may be any wall of the buildings,*

including the walls of attached garages. Each dwelling unit has its own external entrance.

~~**Dwelling, Two-Family Duplex** – A detached building containing two dwelling units and commonly known as a duplex. *Two dwelling units on a single lot, may be attached or detached.*~~

~~**Dwelling, Triplex** – *Three dwelling units on a single lot, may be attached or detached.*~~

~~**Dwelling, Quadplex** – *Four dwelling units on a single lot, may be attached or detached.*~~

~~**Dwelling Unit** – A residence containing one or more rooms designed for occupancy by one family and having not more than one cooking facility. This includes both buildings constructed on-site and off-site, such as manufactured homes.~~

[...]

~~**Family** – For the purpose of this Zoning Ordinance, “family” refers to: An individual or two or more persons related by blood, marriage, adoption, or legal guardianship, or other duly authorized custodial relationship, living together as one housekeeping unit using one kitchen, and providing means of lodging to not more than two additional persons, excluding servants, or a group of not more than five unrelated persons, excluding servants, living together as one housekeeping unit using one kitchen. c; Ord. 4479A §1, 1991; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).~~

[...]

~~**Guesthouse, Servants’ Quarters** – (Repealed by Ord. 4952, March 13, 2012).~~

[...]

Single Room Occupancy (SRO)

SRO Housing Development - *An SRO Housing Development is development of a site with two or more SRO Living Units and shared common areas and common facilities, including sanitary and/or food preparation areas, in one or more buildings on the site. All of the facilities for daily housekeeping, including living, sleeping, sanitation (toilet and bathing), dining, and food preparation are provided for the SRO Housing Development as a whole, subject to the standards provided in the Zoning Ordinance.*

Small SRO Housing Development - *An SRO Housing Development with six or fewer SRO Living Units.*

Large SRO Housing Development - An SRO Housing Development with seven or more SRO Living Units.

SRO Living Unit - A single room occupancy living unit provides living and sleeping space for the exclusive use of the occupant, but requires that the unit share common sanitation (toilet and bathing) and/or food preparation facilities with other units within an SRO Housing Development.

[...]

Townhouse – A dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least 25 percent of the length of the side of the building. The shared or abutting walls may be any wall of the buildings, including the walls of attached garages. Each dwelling unit has its own external entrance.

Chapter 17.09

ZONE CLASSIFICATION, BOUNDARIES AND MAPS

17.09.010 Zones established. For the purpose of this title, the following zones are established in the city:

Abbreviated Zone	<u>Designation</u>
Single Family Low-Density 9000 SF Lot Residential zone	R-1
Two Family Low-Density 7000 SF Lot Residential zone	R-2
Multiple Family Medium-Density 6000 SF Lot Residential zone	R-3
Multiple Family Medium, High-Density 5000 SF Lot Residential zone	R-4
Multiple Family High-Density Residential zone	R-5
Office/Residential zone	O-R
Neighborhood Business zone	C-1
Travel Commercial zone	C-2
General Commercial zone	C-3
Limited Light Industrial zone	M-L
Light Industrial zone	M-1
General Industrial zone	M-2
Agricultural Holding zone	AH
Flood Area zone	F-P

(Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

Chapter 17.12

R-1 SINGLE-FAMILY **LOW-DENSITY 9000 SF LOT** RESIDENTIAL ZONE

17.12.010 Permitted uses. In an R-1 zone, the following uses and their accessory uses are permitted:

A. ***Tiny Houses***, Site built single-***detached*** family dwelling and Class A mobile home subject to the following standards.

1. If the dwelling is removed, the exposed foundation and any outbuildings must be removed within 90 days or, if notice is given to the city, 180 days will be allowed for installation of another home on the existing foundation; and
2. A Class A mobile home shall have a pitched roof with a minimum slope of a nominal three feet in height for each 12 feet of run; and
3. A Class A mobile home shall not be located adjacent to an historic landmark or within an historic district, as identified in the current McMinnville Historic Resources Inventory; and
4. A Class A mobile home shall be multisectional, at least 24 feet in width, and enclose a space of not less than 1,000 square feet; and
5. A Class A mobile home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade; and
6. A Class A mobile home shall have exterior siding and roofing which in material and appearance is similar to the exterior siding and roofing material which is comparable to the predominant materials used on surrounding dwellings, as determined by the Planning Director. This requirement shall not be interpreted to mean that the City is responsible for enforcing codes, covenants, and restrictions of any homeowner's or other association; and
7. A Class A mobile home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010; and
8. A Class A mobile home shall have a garage or carport constructed of like materials. An attached or detached garage may be required in lieu of a carport where a garage is consistent with the predominant construction of immediately surrounding dwellings.

B. ***Missing Middle Housing***

1. ***Plexes: Duplex Dwelling; Triplex Dwelling; and Quadplex Dwelling.***
2. ***Cottage Clusters***
3. ***Townhouses***

~~Two-family dwelling on a corner lot with nine thousand square feet minimum area provided the subdivision plat designates the lot as duplex;~~

C. ***Single Room Occupancy – Small Housing.*** A single-family dwelling having a common wall with one other single-family dwelling, provided:

1. ~~Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
2. ~~The two dwellings shall have a common wall at the "zero" lot line.~~

- ~~3. One of the lots shall be a corner lot approved for this use on a subdivision plat hereafter approved by the Planning Commission and filed in accordance with law, and:
 - a. Both lots combined shall comprise not less than nine thousand square feet in area. There is no minimum lot area for the individual lots created.
 - b. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.
OR both lots shall be interior lots approved for this use on subdivision plat here after approved by the Planning Commission and filed in accordance with the law, and approved by the Planning Commission and filed in accordance with the law, and
 - c. Each lot shall comprise not less than nine thousand square feet in area.
 - d. The setback requirements will apply to each dwelling unit independently, except that the setbacks for the "zero" lot line shall be waived.~~
- ~~4. Each dwelling unit must have independent services which include but are not limited to sewer, water, and electricity.~~
- ~~5. The common wall shall be a fire wall and shall be of a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.~~
- ~~6. Common wall, single-family structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
- ~~7. Existing duplexes will be allowed to be converted to common wall, single-family dwelling units if they meet the provisions of this title and were constructed after January, 1974;~~
- D. Accessory Dwelling Unit (ADU) subject to the following standards:
 1. The accessory dwelling unit may be established by:
 - a. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 - b. Adding floor area to the primary dwelling, including a second story;
 - c. Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling; or
 - d. Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.
 2. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.
 3. The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.

- ~~4. The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.~~
 - ~~5. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.~~
 - ~~6. One additional off-street parking space shall be provided (in addition to any off-street parking required for other uses on the same parcel or lot).~~
 - ~~7. Not more than one accessory dwelling unit shall be allowed per lot or parcel.~~
 - ~~8. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.~~
 - ~~9. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.~~
 - ~~10. ADUs are exempt from the residential density standards of this code.~~
 - ~~11. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.~~
 - ~~12. That a legally non-conforming accessory structure located on residentially zoned land may be converted to an accessory dwelling unit in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).~~
- E. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
1. The structure is a residential dwelling unit.
 2. The provider resides at the dwelling.
 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 5. Operator must have the appropriate licenses required by state regulations.
- F. Day Care Facility (Adult), under the following provisions:
1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Twelve or fewer people are present at any one time at the center.
 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 4. Operator must have the appropriate licenses required by state regulations.
- G. Child Care Center, under the following provisions:
1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 2. Operator must have the appropriate licenses required by state regulations, if applicable.

- H. Residential Home as defined in Chapter 17.06 (Definitions)
- I. Social relief facility, under the following provisions:
 - 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 - 2. Five or less people unrelated to the operator reside at the home at any one time.
 - 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC) as amended, are met.
- J. Home occupation, subject to the provisions of Chapter 17.67 (Home Occupations);
- K. Model home, subject to the provisions of Section 17.54.060 of this ordinance;
- L. Public park and recreation area;
- M. Sewage pump station;
- N. Satellite dish provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.
- O. Resident occupied short term rental, subject to the provisions of Section 17.72.110 and the following standards:
 - 1. Resident occupied short term rentals shall be allowed in single family dwellings, common-wall single family dwellings, and accessory dwelling units (ADUs). The structure shall retain the characteristics of a single **dwelling** family residence.
 - 2. That the establishment be occupied full-time by a resident.
 - 3. That no more than two guest sleeping rooms are provided on a daily or weekly basis for the use of no more than a total of five travelers or transients at any one time.
 - 4. That a minimum of one off-street parking space be provided for the two permitted guest sleeping rooms. The required off-street guest parking may be provided on an existing parking lot located within 200 feet of the short term rental.
 - 5. That signing be limited to only one non-illuminated or incidentally illuminated wooden sign not exceeding three square feet of face area.
 - 6. That the duration of each guest's stay at the short term rental be limited to no more than 30 (thirty) consecutive days.
 - 7. That smoke detectors be provided as per the requirements for "lodging houses" in Ordinance No. 3997 of this code;
 - 8. Permits shall be issued to the current property owner at the time of application. Permits do not transfer with the sale or conveyance of the property. Upon any change in ownership, the short term rental permit for the subject property will become void. The use of the subject property as a short term rental by the new owner will again be subject to the application and review procedures in Section 17.72.110. The following situations are not deemed to be a change in ownership for the purposes of this section:
 - a. Transfer of property from a natural person(s) to a Trust serving the same natural person(s) or to a family member pursuant to a Trust; or

use of the subject property as a short term rental will again be subject to the application and review procedures in Section 17.72.110.

10. Complaints on conditions 1 through 9 above will be reviewed by the Planning Commission at a public hearing. The Planning Commission will review complaints based on the criteria listed in Sections 17.74.030 and 17.74.040 of the zoning ordinance. If the short term rental is found to be in violation of the criteria, the Planning Commission may terminate the use. (Ord. 5104 §2, 2021; Ord. 5047 §2, 2018; Ord. 5040 §2, 2017; Ord. 4988 §1, 2015; Ord. 4984 §1, 2014; Ord. 4952 §1, 2012; Ord. 4912 §3, 2009; Ord. 4796 §1, 2003; Ord. 4564 §2, §3, 1994; Ord. 4534 §5(part), §7(part), 1993; Ord. 4499 §1, 1991; Ord. 4477 §1, 1990; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.020 Conditional uses. In an R-1 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74:

~~A. Two-family dwelling on corner lots with a minimum of nine thousand square feet;~~

17. Cemetery.

B. Child Care Center, under the following provisions:

1. The facility is not a facility defined in Section 17.12.010(G)(1).
2. Operator must have the appropriate licenses required by state regulations.

C. Church;

D. Community building, including library;

E. Day Care Facility (Adult), under the following provisions

1. The structure is not a residence.
2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
3. Operator must have the appropriate licenses required by state regulations.

F. Social relief facility, when the following situations exist:

1. The structure is not used as a residence by the operators, and/or
2. Six or more people unrelated to the operator reside at the home at any one time;

G. Farming and keeping of domestic animals;

H. Golf course, except driving range and miniature golf course when operated as a business;

I. Guesthouse or servants' quarters provided the lot is not less than twelve thousand square feet in area;

J. Home office of a physician or minister;

K. Public or private school;

L. Electrical power substation;

M. Water reservoir;

~~N. A single-family dwelling having a common wall with one other single-family dwelling, providing:~~

- ~~1. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
- ~~2. The two dwellings shall have a common wall at the "zero" lot line.~~

- ~~3. One of the two lots shall be a corner lot, and:

 - a. Both lots combined shall comprise not less than nine thousand square feet in area. There is no minimum lot area for the individual lots created.
 - b. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.
OR both lots shall be interior lots, and:
 - c. Each lot shall comprise not less than nine thousand square feet in area.
 - d. The setback requirements will apply to each dwelling unit independently, except that the setback for the “zero” lot line shall be waived.~~
- ~~5. Each dwelling unit must have independent services which include, but are not limited to sewer, water, and electricity.~~
- ~~6. The common wall shall be a fire wall and shall be a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.~~
- ~~7. Common wall, single-family structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
- ~~8. Existing duplexes will be allowed to be converted to common wall, single-family units if they meet the provisions of this title and were constructed after January, 1974;~~
- O. Windmill, for generation of electricity or pumping water;
- P. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55 (Wireless Communications Facilities).
- Q. Fire Station Substation.
- R. Residential Facility as defined in Chapter 17.06 (Definitions). (Ord. 5104 §2, 2021; Ord. 4988 §1, 2015; Ord. 4959 §1, 2012; Ord. 4952 §1, 2012; Ord. 4944 §1(b), 2011; Ord. 4902 §1(b), 2008; Ord. 4732, 2000; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §2(b), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.030 Lot size. In an R-1 zone the lot area shall not be less than nine thousand square feet, except as provided in ~~Sections 17.12.010(C), and 17.12.020(O), and~~ **Section 17.11.070(C), Table 1(C), Townhouses**, of this title. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.040 Yard requirements. In an R-1 zone each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters.**

- B. A rear yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters.**
- C. A side yard shall not be less than ten feet, except an exterior side yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(c), Cottage Clusters.** (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.050 Building height. In an R-1 zone, a building shall not exceed a height of thirty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.060 Density requirements. ***In an R-1 zone, the maximum density for single attached dwellings may not exceed four dwelling units per 9,000 square feet. Density maximums may not apply to any other permitted housing types, including accessory dwelling units.*** ~~In an R-1 zone, the lot area per family shall not be less than nine thousand square feet, except that the lot area for approved two-family corner lots and common wall, single-family corner lots shall not be less than nine thousand square feet for two families. This requirement does not apply to accessory dwelling units.~~ (Ord. 4796 §1(b), 2003; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

~~17.12.070 Signs. Moved to Chapter 17.62~~

Chapter 17.15

R-2 SINGLE-FAMILY LOW-DENSITY 7000 SF LOT RESIDENTIAL ZONE

17.15.010 Permitted uses. In an R-2 zone, the following uses and their accessory uses are permitted:

- A. ***Tiny Houses,*** Site built single-family ***detached*** dwelling and Class A mobile home subject to the following standards:
 1. If the dwelling is removed, the exposed foundation and any outbuildings must be removed within 90 days or, if notice is given to the city, 180 days will be allowed for installation of another home on the existing foundation; and
 2. A Class A mobile home shall have a pitched roof with a minimum slope of a nominal three feet in height for each twelve feet of run; and
 3. A Class A mobile home shall not be located adjacent to a historic landmark or within a historic district, as identified in the current McMinnville Historic Resources Inventory; and
 4. A Class A mobile home shall be multisectional, at least 24 feet in width, and enclose a space of not less than 1,000 square feet; and
 5. A Class A mobile home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade; and
 6. A Class A mobile home shall have exterior siding and roofing which in material and appearance is similar to the exterior siding and roofing

material which is comparable to the predominant materials used on surrounding dwellings, as determined by the Planning Director. This requirement shall not be interpreted to mean that the City is responsible for enforcing codes, covenants and restrictions of any homeowner's or other association; and

7. A Class A mobile home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010; and
8. A Class A mobile home shall have a garage or carport constructed of like materials. An attached or detached garage may be required in lieu of a carport where a garage is consistent with the predominant construction of immediately surrounding dwellings.

B. Missing Middle Housing

1. **Plexes: Duplex Dwelling; Triplex Dwelling; Quadplex Dwelling**
2. **Cottage Clusters**
3. **Townhouses**

~~Two-family dwelling on a corner lot with eight thousand square feet minimum area;~~

C. Single Room Occupancy – Small Housing. A single-family dwelling having a common wall with one other single-family dwelling, provided:

- ~~8. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
- ~~9. The two dwellings shall have a common wall at the "zero" lot line.~~
- ~~10. One of the lots shall be a corner lot approved for this use on a subdivision plat hereafter approved by the Planning Commission and filed in accordance with law, and:~~
 - ~~c. Both lots combined shall comprise not less than nine thousand square feet in area. There is no minimum lot area for the individual lots created.~~
 - ~~d. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.
OR both lots shall be interior lots approved for this use on subdivision plat here after approved by the Planning Commission and filed in accordance with the law, and approved by the Planning Commission and filed in accordance with the law, and~~
 - ~~e. Each lot shall comprise not less than nine thousand square feet in area.~~
 - ~~f. The setback requirements will apply to each dwelling unit independently, except that the setbacks for the "zero" lot line shall be waived.~~
- ~~11. Each dwelling unit must have independent services which include but are not limited to sewer, water, and electricity.~~
- ~~12. The common wall shall be a fire wall and shall be of a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.~~

- ~~13. Common wall, single-family structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
 - ~~14. Existing duplexes will be allowed to be converted to common wall, single-family dwelling units if they meet the provisions of this title and were constructed after January, 1974;~~
- D. Accessory Dwelling Unit (ADU) subject to the following standards:
- ~~1. The accessory dwelling unit may be established by:
 - a. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 - b. Adding floor area to the primary dwelling, including a second story;
 - c. Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling; or
 - d. Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.~~
 - ~~2. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.~~
 - ~~3. The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.~~
 - ~~4. The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.~~
 - ~~5. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.~~
 - ~~6. One additional off-street parking space shall be provided (in addition to any off-street parking required for other uses on the same parcel or lot).~~
 - ~~7. Not more than one accessory dwelling unit shall be allowed per lot or parcel.~~
 - ~~8. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.~~
 - ~~9. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.~~
 - ~~10. ADUs are exempt from the residential density standards of this code.~~
 - ~~11. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.~~
 - ~~12. That a legally non-conforming accessory structure located on residentially zoned land may be converted to an accessory dwelling unit~~

~~in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).~~

- D. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
 - 1. The structure is a residential dwelling unit.
 - 2. The provider resides at the dwelling.
 - 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 - 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 5. Operator must have the appropriate licenses required by state regulations.
- E. Day Care Facility (Adult), under the following provisions:
 - 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 - 2. Twelve or fewer people are present at any one time at the center.
 - 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 4. Operator must have the appropriate licenses required by state regulations.
- F. Child Care Center, under the following provisions:
 - 1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 - 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- G. Residential Home as defined in Chapter 17.06 (Definitions)
- H. Social relief facility, under the following provisions:
 - 1. The structure is maintained in its residential character, operators own, lease, or rent the property and reside therein, and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 - 2. Five or less people unrelated to the operator, reside at the home at any one time.
 - 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC), as amended, are met.
- I. Home occupation subject to the provisions of Chapter 17.67 (Home Occupations);
- J. Model home, subject to the provisions of Section 17.54.060 of this ordinance;
- K. Public park and recreation area;
- L. Sewage pump station;
- M. Satellite dish, provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.
- N. Resident occupied short term rentals, subject to the provisions of Section 17.12.010(N);
- O. Short term rentals, subject to the provisions of Section 17.12.010(O). (Ord. 5104 §2, 2021; Ord. 5047 §2, 2018, Ord. 5040 §2, 2017; Ord. 4988 §1, 2015;

Ord. 4984 §1, 2014; Ord. 4952 §1, 2012; Ord. 4912 §3, 2009; Ord. 4796 §1(e), 2006; Ord. 4564 §2, §3, 1994; Ord. 4534 §5(part), §7(part), 1993; Ord. 4499; Ord. 4477 §1, 1990; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.020 Conditional uses. In an R-2 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74:

- A. Cemetery;
- B. Child Care Center, under the following provisions:
 - 1. The facility is not a facility defined in Section 17.15.010(G)(1).
 - 2. Operator must have the appropriate licenses required by state regulations.
- C. Church;
- D. Community building, including library;
- E. Day Care Facility (Adult), under the following provisions
 - 1. The structure is not a residence.
 - 2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 3. Operator must have the appropriate licenses required by state regulations.
- F. Social relief facility, when the following situations exist:
 - 1. The structure is not used as a residence by the operators and/or
 - 2. Six or more people unrelated to the operator reside at the home at any one time.
- G. Farming and keeping of domestic animals;
- H. Golf course, except driving range and miniature golf course when operated as a business;
- I. Guesthouse ~~or servants' quarters~~ provided the lot is not less than twelve thousand square feet in area;
- J. Home office of a physician or minister;
- K. Public or private school;
- L. Electrical power substation;
- M. Water reservoir;
- N. Windmill, for the generation of electricity or pumping water;
- O. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to provisions of Chapter 17.55 (Wireless Communications Facilities).
- P. Fire Service Substation.
- Q. Residential Facility as defined in Chapter 17.06 (Definitions). (Ord. 5104 §2, 2021; Ord. 4988 §1, 2015; Ord. 4952 §1, 2012; Ord. 4944 §1, 2011; Ord. 4902 §1, 2008; Ord. 4732, 2000; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §2(b), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.030 Lot size. In an R-2 zone, the lot size shall not be less than seven thousand square feet **except as provided in Section 17.11.070(C), Table 1(C), Townhouses**, of this title (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.040 Yard requirements. In an R-2 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C) Table 1(d), Cottage Clusters.**
- B. A rear yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters.**
- C. A side yard shall not be less than seven and one-half feet. ~~except~~ An exterior side yard on the street side of a corner lot shall be not less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(c), Cottage Clusters.** (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.050 Building height. In an R-2 zone, a building shall not exceed a height of thirty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.060 Density requirements. **In an R-2 zone, the maximum density for single attached dwellings may not exceed four dwelling units per 7,000 square feet. Density maximums may not apply to any other permitted housing types, including accessory dwelling units.** ~~In an R-2 zone, the lot area per family shall not be less than seven thousand square feet, except that the lot area for two-family corner lots and common wall, single-family corner lots shall not be less than eight thousand square feet for two families. This requirement does not apply to accessory dwelling units.~~ (Ord. 4796 §1(b), 2003; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

~~[17.15.070 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]~~

Chapter 17.18

R-3 TWO-FAMILY MEDIUM-DENSITY 6000 SF LOT RESIDENTIAL ZONE

17.18.010 Permitted uses. In an R-3 zone, the following uses and their accessory uses are permitted:

- A. **Tiny Houses**, Single-family **detached** dwelling;
- B. **Missing Middle Housing**
 - 1. **Plexes: Duplex Dwelling, Triplex Dwelling, Quadplex Dwelling (minimum lot size of seven thousand square feet)**
 - 2. **Cottage Clusters**
 - 3. **Townhouses**
Two-family dwelling;
- C. **Single Room Occupancy – Small Housing.** ~~An attached single dwelling having a common wall with one other single-family dwelling, provided:~~
 - 1. ~~Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
 - 2. ~~The two dwellings shall have a common wall at the “zero” lot line.~~

- ~~3. Both lots combined comprise not less than **three thousand** eight thousand square feet in area. There is no minimum lot area for the individual lots created.~~
 - ~~4. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.~~
 - ~~5. Each dwelling unit must have independent services which include, but are not limited to sewer, water and electricity.~~
 - ~~6. The common wall shall be a fire wall, and shall be a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State,~~
 - ~~7. Common wall, single-family **dwelling** structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
 - ~~8. Existing duplexes will be allowed to be converted to common wall, single-family units if they meet the provisions of this title and were constructed after January, 1974.~~
- D. Accessory Dwelling Unit (ADU) subject to the following standards:
- ~~1. The accessory dwelling unit may be established by:
 - a. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 - b. Adding floor area to the primary dwelling, including a second story;
 - c. Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling; or
 - d. Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.~~
 - ~~2. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.~~
 - ~~3. The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.~~
 - ~~4. The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.~~
 - ~~5. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.~~
 - ~~6. One additional off-street parking space shall be provided (in addition to any off-street parking required for other uses on the same parcel or lot).~~
 - ~~7. Not more than one accessory dwelling unit shall be allowed per lot or parcel.~~

- ~~8. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.~~
 - ~~9. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.~~
 - ~~10. ADUs are exempt from the residential density standards of this code.~~
 - ~~11. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.~~
 - ~~12. That a legally non-conforming accessory structure located on residentially zoned land may be converted to an accessory dwelling unit in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).~~
- E. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
1. The structure is a residential dwelling unit.
 2. The provider resides at the dwelling.
 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 5. Operator must have the appropriate licenses required by state regulations.
- F. Day Care Facility (Adult), under the following provisions:
1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Twelve or fewer people are present at any one time at the center.
 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 4. Operator must have the appropriate licenses required by state regulations.
- G. Child Care Center, under the following provisions:
1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- H. Residential Home as defined in Chapter 17.06 (Definitions)
- I. Social relief facility, under the following provisions:
1. The structure is maintained in its residential character, operators own, lease or rent the property and reside therein, and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Five or less people unrelated to the operator, reside at the home at any one time.
 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC), as amended, are met.

- J. Home occupation, subject to the provisions of Chapter 17.67 (Home Occupations);
- K. Mobile home subdivision, provided that the provisions of both the McMinnville Land Division Ordinance and the Mobile Home Development Ordinance are met and that a minimum of ten contiguous lots are developed solely for mobile home occupation;
- L. Model home, subject to the provisions of Section 17.54.060 of this ordinance;
- M. Public park and recreation area;
- N. Sewage pump station;
- O. Mobile home park, subject to the provisions of the Mobile Home Development Ordinance;
- P. Satellite dish, provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.
- Q. Resident occupied short term rentals, subject to the provisions of Section 17.12.010(N).
- R. Short term rentals, subject to the provisions of Section 17.12.010(O). (Ord. 5104 §2, 2021; Ord. 5047 §2, 2018, Ord. 5040 §2, 2017; Ord. 4988 §1, 2015; Ord. 4984 §1, 2014; Ord. 4952 §1, 2012; Ord. 4912 §3, 2009; Ord. 4796 §1(e), 2003; Ord. 4564 §4(part), §5, 1994; Ord. 4534 §5(part), §7(part), 1993; Ord. 4481 §1, 1991; Ord. 4479A §4(part), 1991; Ord. 4477 §1(part), 1990; Ord. 4221 §1, 1982; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.020 Conditional uses. In an R-3 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74:

- A. Cemetery;
- B. Child Care Center, under the following provisions:
 1. The facility is not a facility defined in Section 17.18.010(G)(1).
 2. Operator must have the appropriate licenses required by state regulations.
- C. Church;
- D. Community building, including library;
- E. Day Care Facility (Adult), under the following provisions
 1. The structure is not a residence.
 2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 3. Operator must have the appropriate licenses required by state regulations.
- F. Social relief facility, when the following situations exist:
 1. The structure is not used as a residence by the operators, and/or
 2. Six or more people unrelated to the operator reside at the home at any one time.
- G. Farming and keeping of domestic animals;
- H. Golf course, except driving range and miniature golf course when operated as a business;
- I. Guesthouse or ~~servant quarters~~ provided the lot is not less than twelve thousand square feet in area;
- J. Home office of a physician or minister;
- K. Public or private school;

- L. Electrical power substation;
- M. Water reservoir;
- N. Windmill, for the generation of electricity or pumping water;
- O. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55 (Wireless Communications Facilities).
- P. Fire Service Substation.
- Q. Residential Facility as defined in Chapter 17.06 (Definitions). (Ord. 5104 §2, 2021; Ord. 4988 §1, 2015; Ord. 4952 §1, 2012; Ord. 4944 §1(d), 2011; Ord. 4902 §1(d), 2008; Ord. 4732, 2000; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §2(d), 1984; (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.030 Lot size. In an R-3 zone the lot size shall not be less than six thousand square feet **except as provided in Section 17.11.070(C), Table 1(C), Townhouses-** (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.040 Yard requirements. In an R-3 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than fifteen feet, **except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters.**
- B. A rear yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters.**
- C. A side yard shall not be less than seven and one-half feet. An exterior side yard on the street side of a corner lot shall be not less than fifteen feet, **except as provided in Section 17.11.030(C), Table 1(c), Cottage Clusters.** (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.050 Building height. In an R-3 zone, a building shall not exceed a height of thirty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.060 Density requirements. **In an R-3 zone, the maximum density for single attached dwellings may not exceed four dwelling units per 6,000 square feet, whichever is less. Density maximums may not apply to any other permitted housing types, including accessory dwelling units.** ~~In an R-3 zone, the lot area per family shall not be less than four thousand square feet, except that the lot area for common wall, single-family corner lots shall not be less than eight thousand square feet for two families. This requirement does not apply to accessory dwelling units.~~ (Ord. 4796 §1(b), 2003; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

~~17.18.070 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]~~

Chapter 17.21

R-4 MULTIPLE-FAMILY MEDIUM, HIGH-DENSITY 5000 SF LOT RESIDENTIAL ZONE

17.21.010 Permitted uses. In an R-4 zone, the following uses and their accessory uses are permitted:

- A. **Tiny Houses**, Single-family *detached* dwelling;
- B. **Missing Middle Housing**
 - 1. **Plexes: Duplex Dwelling; Triplex Dwelling; Quadplex Dwelling (minimum lot size of seven thousand square feet)**
 - 2. **Cottage Clusters**
 - 3. **Townhouses**
 - ~~Two-Family Dwelling~~
- C. **Apartments**; Multiple-family dwelling subject to the following:
 - 1. **Developments with five or more units.**
 - 2. The property on which the use will be located has direct access from a major collector or minor arterial street, or a local collector street within 600' of a collector or arterial street; or
 - 3. The property is located within one-half mile of a planned or existing transit route; or
 - 4. The property is within one-quarter mile from a planned or existing neighborhood or commercial shopping area.
- D. Accessory Dwelling Unit (ADU) ~~subject to the following standards:~~
 - ~~1. The accessory dwelling unit may be established by:
 - a. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 - b. Adding floor area to the primary dwelling, including a second story;
 - c. Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling; or
 - d. Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.~~
 - ~~2. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.~~
 - ~~3. The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.~~
 - ~~4. The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.~~
 - ~~5. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.~~

- ~~6. One additional off-street parking space shall be provided (in addition to any off-street parking required for other uses on the same parcel or lot).~~
- ~~7. Not more than one accessory dwelling unit shall be allowed per lot or parcel.~~
- ~~8. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.~~
- ~~9. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.~~
- ~~10. ADUs are exempt from the residential density standards of this code.~~
- ~~11. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.~~
- ~~12. That a legally non-conforming accessory structure located on residentially zoned land may be converted to an accessory dwelling unit in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).~~

E. Condominium;

F. Residential Home as defined in Chapter 17.06 (Definitions)

G. **Single Room Occupancy – Small Housing;**

Single Room Occupancy – Large Housing ~~A single-family dwelling. An attached single dwelling, having a common wall with one or more other single-family dwellings, provided:~~

- ~~1. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
- ~~2. The dwelling shall have a common wall at the “zero” lot line.~~
- ~~3. Each lot shall average comprise not less than one thousand five hundred seven thousand square feet in area, or less.~~
- ~~4. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.~~
- ~~5. Each dwelling unit must have independent services which include, but are not limited to sewer, water and electricity.~~
- ~~6. The common wall shall be a fire wall, and shall be a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.~~
- ~~7. Common wall, single-family dwelling structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty (50) as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
- ~~8. Existing duplexes will be allowed to be converted to common wall, single-family units if they meet the provisions of this title and were constructed after January, 1974.~~

H. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:

1. The structure is a residential dwelling unit.

2. The provider resides at the dwelling.
 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 5. Operator must have the appropriate licenses required by state regulations.
- I. Day Care Facility (Adult), under the following provisions:
 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Twelve or fewer people are present at any one time at the center.
 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 4. Operator must have the appropriate licenses required by state regulations.
 - J. Child Care Center, under the following provisions:
 1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 2. Operator must have the appropriate licenses required by state regulations, if applicable.
 - K. Residential Home as defined in Chapter 17.06 (Definitions).
 - L. Residential Facility as defined in Chapter 17.06 (Definitions).
 - M. Social relief facility, under the following provisions:
 1. The structure is maintained in its residential character, operators own, lease, or rent the property and reside therein, and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Five or less people unrelated to the operator, reside at the home at any one time.
 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC), as amended, are met.
 - N. Home occupation, subject to the provisions of Chapter 17.67 (Home Occupations);
 - O. Mobile home subdivision, provided that the provisions of both the McMinnville Subdivision Ordinance and the Mobile Home Development Ordinance are met and that a minimum of ten contiguous lots are developed solely for mobile home occupation;
 - P. Model home, subject to the provisions of Section 17.54.060 of this ordinance;
 - Q. Public park and recreation area;
 - R. Sewage pump station;
 - S. Mobile home park, subject to the provisions of the Mobile Home Development Ordinance;
 - T. Resident occupied short term rentals, subject to the provisions of Section 17.12.010(N);
 - U. Satellite dish, provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.

- V. Short term rentals, subject to the provisions of Section 17.12.010(O). (Ord. 5104 §2, 2021; Ord 5098 §1, 2020, Ord. 5047 §2, 2018, Ord. 5040 §2, 2017; Ord. 4984 §1, 2014; Ord. 4952 §1, 2012; Ord. 4912 §3, 2009; Ord. 4796 §1(e), 2003; Ord. 4564 §4(part), 1995; Ord. 4534 §5(part), §7(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4477 §1(part), 1990; Ord. 4292 §2(e), 1984; Ord. 4221 §2, 1982; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.020 Conditional uses. In an R-4 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74.030:

- A. Campus living organization (fraternity, sorority or dormitory);
- B. Cemetery;
- C. Child Care Center, under the following provisions:
 - 1. The facility is not a facility defined in Section 17.21.010(J)(1).
 - 2. Operator must have the appropriate licenses required by state regulations.
- D. Church;
- E. Community building, including library;
- F. Day Care Facility (Adult), under the following provisions
 - 1. The structure is not a residence.
 - 2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 3. Operator must have the appropriate licenses required by state regulations.
- G. Social relief facility, when the following situations exist:
 - 1. The structure is not used as a residence by the operators, and/or
 - 2. Six or more people unrelated to the operator reside at the home at any one time.
- H. Farming and keeping of domestic animals;
- I. Golf course, except driving range and miniature golf course when operated as a business;
- J. Home office of a physician or minister;
- K. Hospital and clinic;
- L. Nursing/convalescent home;
- M. A multiple-family dwelling constructed to a higher density than normally allowed in the R-4 Multiple-Family **dwelling** zone provided that the following conditions are met. It is the applicant's burden to show that the conditions have been met:
 - 1. That public and private utilities and services would not be overtaxed by the proposed development. Utilities and services include, but are not necessarily limited to, water, sanitary sewer, public schools, fire protection, police protection, electricity, natural gas, and telephone service.
 - 2. That the transportation network in the immediate area as well as in the adjoining areas is capable of handling the prospective increase in traffic flow.
 - 3. That off-street parking be provided at the rate of one and one-half parking stalls per unit. A variance to this requirement may be considered by the

- Planning Commission when the proposed housing structure is limited solely to elderly residents.
4. That adjacent properties in other ownerships would not be caused to be limited to a lesser density than allowed in the zone as a direct result of the proposal using a “share” of that adjacent property’s public or private utilities or services.
 5. That the provisions of this section may be utilized only in the core area, defined as that area bounded by First Street, Fifth Street, Adams Street, and Johnson Street.
- N. Public or private school or college;
- O. Electrical power substation;
- P. Water reservoir;
- Q. Windmill, for generation of electricity or pumping water;
- R. Bed and Breakfast establishment, provided:
1. That three or more guest sleeping rooms are provided on a daily or weekly basis for the use of six or more travelers or transients at any one time.
 2. That a minimum of one off-street parking space be provided for the first two guest sleeping rooms with an additional parking space for each additional guest sleeping room. The required off-street guest parking area may be provided within 200 feet from the bed and breakfast establishment.
 3. That signing be limited to only one non-illuminated or indirectly illuminated wooden sign not exceeding six square feet of face area.
 4. That smoke detectors be provided as per the requirements for “lodginghouses” in Ordinance 3997.
- S. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55 (Wireless Communications Facilities).
- T. Fire Service Substation. (Ord. 5104 §2, 2021; Ord. 4952 §1, 2012; Ord. 4944 §1(e), 2011; Ord. 4902 §1(e), 2008; Ord. 4732, 2000; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §1(f), 1984; Ord. 4221 §3, 1982; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.030 Lot size. In an R-4 zone, the lot size shall not be less than five thousand square feet, except that the lot area for **attached single dwelling** ~~common wall, single-family~~ lots shall **average one thousand-five hundred square feet in area.** ~~not be less than two thousand five hundred square feet per family.~~ (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.040 Yard requirements. In an R-4 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than fifteen feet, **except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters.**
- B. A side yard shall not be less than six feet. ~~except~~ An exterior side yard shall not be less than fifteen feet, **except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters.**

- C. A rear yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(c), Cottage Clusters.**
- D. Whether attached to a residence or as a separate building, a covered storage facility for a vehicle on which the main opening is toward a street shall be located not less than twenty feet to the property line bordering the street;
- E. All yards shall be increased, over the requirements of this section, one foot for each two feet of building height over thirty-five feet. (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.050 Building height. In an R-4 zone, a building shall not exceed sixty feet in height. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.060 Density requirements. In an R-4 zone, **the maximum density for single attached dwelling may not exceed four dwelling units per 5,000 square feet. Density maximum may not apply to any other permitted housing types, including accessory dwelling units.** ~~the lot area per family shall not be less than fifteen hundred square feet for each unit with two bedrooms or less, and not less than seventeen hundred fifty square feet for each unit with three bedrooms, and an additional five hundred square feet for each additional bedroom in excess of three in any one unit. The above requirements may be waived if the provisions of Section 17.21.020(M) are utilized.~~ (Ord. 4796 §1(b), 2003; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

~~[17.21.070 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]~~

Chapter 17.22

R-5 MULTIPLE-FAMILY **HIGH-DENSITY, MULTIPLE-DWELLING** RESIDENTIAL ZONE

(as adopted per Ordinance 5098, December 8, 2020)

Sections:

- 17.22.005 Purpose.
- 17.22.010 Permitted uses.
- 17.22.020 Conditional uses.
- 17.22.030 Lot size.
- 17.22.040 Yard requirements.
- 17.22.045 Multiple Buildings on One Lot: Separation Between Buildings, Parking Areas, Walks, and Drives
- 17.22.050 Building height.
- 17.22.055 Exterior Elevations
- 17.22.060 Density requirements.
- 17.22.070 Signs.

17.22.005 Purpose. This zone is intended to provide areas for high-density residential dwelling units and other closely related uses in designated Neighborhood

Activity Centers, the downtown, and other appropriate locations within the city, consistent with comprehensive plan policies. Residential densities within this zone are typically 14 to 26 dwelling units per acre.

17.22.010 Permitted uses. In an R-5 zone, the following uses and their accessory uses are permitted:

- A. **Apartments;** Multiple-family dwelling;
- B. Condominium;
- C. Boardinghouse, lodging house, or rooming house;
- D. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
 - 1. The structure is a residential dwelling unit.
 - 2. The provider resides at the dwelling.
 - 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 - 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 5. Operator must have the appropriate licenses required by state regulations.
- E. Child Care Center, under the following provisions:
 - 1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 - 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- F. Social relief facility, under the following provisions:
 - 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 - 2. Five or fewer people unrelated to the operator, reside at the home at any one time.
 - 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC) as amended, are met.
- G. Home occupation, subject to the provisions of Chapter 17.67;
- H. Public park and recreation area;
- I. Sewage pump station;
- J. Satellite dish provided such dish is screened from abutting or facing residential properties by a sight-obscuring fence, wall, or planting. (Ord. 5104 §2, 2021)

17.22.020 Conditional uses. In an R-5 zone, the following uses and their accessory uses may be permitted, subject to the provisions of Chapters 17.72 and 17.74:

- A. Campus living organization (fraternity, sorority, or dormitory);
- B. Cemetery;
- C. Church;
- D. Community building, including library;
- E. Child Care Center, under the following provisions:
 - 1. The facility is not a facility defined in Section 17.22.010(E)(1).

2. Operator must have the appropriate licenses required by state regulations.
- F. Day care facility, when the following situations exist:
1. The structure is not used as a residence by the operators; and/or
 2. Thirteen or more children are present at any one time;
 3. That a certificate of approval be obtained for facilities with 7 or more children as required by ORS 418.810.
- G. Nursing/convalescent home;
- H. A multiple-family **dwelling** development constructed to a higher density than normally allowed in the R-5 multiple-family **dwelling** zone provided that the following conditions are met. It is the applicant's burden to show that the conditions have been met.
1. These provisions only apply in the downtown core area, bounded by First Street, Fifth Street, Adams Street, and Johnson Street;
 2. That public and private utilities and service would not be overtaxed by the proposed development. Utilities and service include, but are not necessarily limited to, water, sanitary sewer, public schools, fire protection, police protection, electricity, natural gas, and telephone service.
 3. That the transportation impact analysis study demonstrates the road network is capable of handling the prospective increase in traffic flow, or mitigating traffic impacts to a level that does not degrade network performance below minimum acceptable levels.
 4. That off-street parking be provided at the rate of one parking stalls per unit. The Planning Commission may consider a variance to this requirement when the proposed housing structure is limited solely to elderly residents.
 5. That adjacent properties in other ownerships would not be caused to be limited to a lesser density than allowed in their base zone as a direct result of the proposal.
- I. Public or private school or college;
- J. Electrical power substation;
- K. Water reservoir;
- L. Windmill, for generation of electricity or pumping water;
- M. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55. [As amended by Ordinance 4732]. (Ord. 5104 §2, 2021)

17.22.030 Lot size. In an R-5 zone, the lot size shall not be less than five thousand square feet.

17.22.040 Yard requirements. In an R-5 zone, each lot shall have yards of the following sizes unless otherwise provided in Section 17.54.090:

- A. A front yard shall not be less than fifteen feet
- B. A side yard shall not be less than six feet. An exterior side yard shall not be less than fifteen feet.
- C. A rear yard shall not be less than twenty feet.

- D. Whether attached to a residence or as a separate building, a covered storage facility for a vehicle on which the main opening is toward a street shall be located not less than twenty feet to the property line bordering the street;
- E. All yards shall be increased, over the requirements of this section, one foot for each two feet of building height over thirty-five feet.

17.22.045 Multiple Buildings on One Lot: Separation Between Buildings, Parking Areas, Walks, and Drives. To provide privacy, light, air, and access to the dwellings within the development, the following minimum standards shall apply:

- A. Buildings with windowed walls facing buildings with windowed walls shall maintain a 25-foot minimum separation.
- B. Buildings with windowed walls facing buildings with blank wall shall be placed a minimum of 15 feet apart.
- C. Buildings with opposing blank walls shall have a minimum 10-foot separation.
- D. Building separation shall also apply to building projections such as balconies, bay windows, and room projections.
- E. Where buildings exceed a horizontal dimension of 60 feet or exceed 30 feet in height, the minimum wall separation shall be increased. The rate of increased wall separation shall be one foot for each 15 feet of building length over 60 feet and 2 feet for each 10 feet of building over 30 feet.
- F. Driveways, parking lots, and common or public walkways shall maintain the following separation for dwelling units within 8 feet of the ground level.
 1. Driveways and parking lots shall be separated from windowed walls by at least 8 feet; walkways shall be separated by at least 5 feet.
 2. Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways shall be separated by at least 7 feet.
 3. Driveways and uncovered parking spaces shall be separated from doorways by at least 5 feet.

17.22.050 Building height. In an R-5 zone, a building shall not exceed sixty feet in height.

~~17.22.055 Exterior Elevations. The exterior elevations of buildings shall incorporate design features such as offsets, balconies, projections, or similar elements to preclude large expanses of uninterrupted building surfaces. In the event of a question of interpretation or application, the Director may refer the proposal to the Planning Commission.~~

17.22.060 Density requirements. In an R-5 zone, the lot area per family shall not be less than fifteen hundred square feet for each unit with two bedrooms or less, and not less than seventeen hundred fifty square feet for each unit with three bedrooms, and an additional five hundred square feet for each additional bedroom in excess of three in any one unit. The above requirements may be waived if the provisions of Section 17.22.020(I) are utilized.

17.22.070 Signs. In an R-5 zone, the following types of signs are permitted:

- A. A sign not to exceed six square feet in area identifying the owner or occupant of the property on which it is located. Such sign may be indirectly illuminated;

- B. A nonilluminated, temporary sign not to exceed six square feet in area concerning the lease, rental, or sale of a property;
- C. A nonilluminated sign not to exceed forty-eight square feet in area identifying a subdivision at the location of the sign;
- D. Signs may be located in a required front yard or a required side yard adjacent to a street but shall not be located in or extend over a street or public right-of-way;
- E. Political campaign signs are permitted as follows;
 - 1. Campaign signs shall not be erected earlier than six weeks prior to an election for which they were made.
 - 2. Permitted signs shall not exceed six square feet in area.
 - 3. Such signs shall be confined within private property and removed within fourteen days after the election for which they were made.
 - 4. Prior to the erection of any political campaign sign, the political treasurer on behalf of the candidate or issue shall post a bond in the form approved by the City Attorney and filed with the Planning Director in the amount of fifty dollars (\$50.00) guaranteeing removal of such signs within fourteen days after the election for which they are used.
 - 5. The City shall remove signs posted in the public right-of-way and those signs not removed from private property fourteen days following the election. The costs of removal shall be deducted from the bond posted; the bond or remaining portion thereof shall be refunded upon compliance with this section.
- F. A nonilluminated or indirectly illuminated sign not to exceed twenty-four square feet identifying a "model home," subject to the procedures outlined in Section 17.54.100.
- G. A non-illuminated free-standing sign not to exceed 15 feet in height, and 36 square feet in area may be permitted to identify a public school at the location of the sign. In lieu of such signage, a non-illuminated wall mounted sign not to exceed 48 square feet in area, or a non-illuminated or indirectly illuminated monument sign not to exceed six feet in height, and 48 square feet in area, is permitted. A reader board may be integral to the sign. Such signs shall be located in compliance with the setbacks applicable to the residential zone in which they are located.

Chapter 17.24

O-R OFFICE/RESIDENTIAL ZONE

17.24.010 Purpose. The purpose and intent of this zone is at least two-fold. One, it may be used to provide a transition and buffer area between commercially zoned and residentially zoned areas; and two, it is intended to provide an incentive for the preservation of old and historical structures. It may also serve as a buffer zone along major arterials between the roadway and the interior residential areas. Therefore, the requirements set forth herein should be interpreted in relationship to the protection of

abutting residential areas. Implementation and interpretation should take into consideration those factors conducive to a healthy place to live, and improvements should be in scale and relationship to surrounding property uses. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.020 Permitted buildings and uses. In an office/residential district, the following types of buildings and uses and their accessory uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter:

- A. Subject to the requirements of the R-4 zone, the following residential uses and their accessory uses are permitted:
 - 1. **Tiny Houses**
 - 2. Single-family **detached** dwelling.
 - 3. **Townhouses** Common wall, single-family dwelling.
 - 4. ~~Two-family dwelling (duplex).~~ **Plexes: Duplex Building; Triplex Building; Quadplex Building**
 - 5. **Apartments**; Multiple-family dwelling.
 - 6. Condominium.
 - 7. Boarding, lodging or rooming house;
 - 8. **Cottage Clusters**
 - 9. **Single Room Occupancy – Small Housing**
 - 10. **Single Room Occupancy – Large Housing**
- B. Antique/art galleries and associated sales;
- C. Barbershop;
- D. Beauty shop;
- E. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
 - 1. The structure is a residential dwelling unit.
 - 2. The provider resides at the dwelling.
 - 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 - 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 5. Operator must have the appropriate licenses required by state regulations.
- F. Clinic;
- G. Day Care Facility (Adult), under the following provisions:
 - 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 - 2. Twelve or fewer people are present at any one time at the center.
 - 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 4. Operator must have the appropriate licenses required by state regulations.
- H. Child Care Center, under the following provisions:

1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- I. Social relief facility, under the following provisions:
 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Five or less people unrelated to the operator, reside at the home at any one time.
 3. Requirements of the Oregon State Structural and Fire Life Safety Code (UBC) as amended.
 - I. Home occupations;
 - J. Library or museum;
 - K. Offices: all professional, administrative and business offices, provided that retail sales are not allowed except for those sales incidental to the principal occupation conducted therein;
 - L. Public and semi-public buildings essential to the physical and economic welfare of the area, such as fire stations, substations, and pump stations, provided that no stockpiling or storage of materials shall be allowed;
 - M. Public and private parking lots;
 - N. Dressmaking or Tailor shop;
 - O. Studios for the following:
 1. Artists.
 2. Interior decorator.
 3. Photographer;
 - P. Secretarial service;
 - Q. Telephone answering service;
 - R. Resident occupied short term rentals, subject to the provisions of Section 17.12.010(N), except that subsection 17.12.010(N)(2) shall not apply.
 - S. Satellite dish, provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.
 - T. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55.
 - U. Short term rentals, subject to the provisions of Section 17.12.010(O). (Ord. 5104 §2, 2021; Ord. 5047 §2, 2018, Ord. 4984 §1, 2014; Ord. 4732, 2000; Ord. 4534 §5(part), §7(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4477 §1(part), 1990; Ord. 4292 §1(g), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.030 Conditional uses permitted. In an office/residential zone, the following uses and their accessory uses are permitted subject to the provisions of Chapter 17.72:

- A. Child Care Center, under the following provisions:
 1. The facility is not a facility defined in Section 17.24.010(H)(1).
 2. Operator must have the appropriate licenses required by state regulations.

- B. Church;
- C. Day Care Facility (Adult), under the following provisions
 - 1. The structure is not a residence.
 - 2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 3. Operator must have the appropriate licenses required by state regulations.
- D. Social relief facility, when the following situations exist:
 - 1. The structure is not used as a residence by the operators, and/or
 - 2. Six or more people unrelated to the operator reside at the home at any one time.
- E. Nursing/convalescent home;
- F. Windmill, for generation of electricity or pumping water;
- G. Bed and breakfast establishments, subject to the provisions of Section 17.21.020(Q). (Ord. 5104 §2, 2021; Ord. 4902 §1(f), 2008; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §2(h), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.040 Limitations on uses. The following conditions and limitations shall apply to all uses locating in the office/residential zone:

- A. Where a property in the office/residential zone abuts a property in a residential zone, a six-foot fence of a sight-obscuring material shall be placed along the affected property line. The fence shall be of such material and design so as not to detract from adjacent residences and shall be free of advertising. Responsibility for placement of the fence falls with the office/residential property when being changed from a residential use;
- B. Where a property in an office/residential zone abuts another property in an office/residential zone which is in residential use, a sight-obscuring fence or wall, whether permanent or of living material, shall be placed along the affected property line. The responsibility for placement of the fence or wall falls with the property requesting development approval;
- C. All parking areas and approach aisles shall be surfaced with asphaltic cement concrete or Portland cement concrete. Driving aisles, maneuvering aisles, and required parking spaces shall be clearly marked;
- D. No use of any structure in the office/residential zone shall normally occur between the hours of 8 p.m. to 7 a.m., save and except the residential uses permitted;
- E. No use creating a noise, vibration, odor, or other similar nuisances prohibited by City ordinances shall be permitted;
- F. A minimum of seven percent of the site shall be placed in landscaping. Landscape plans must be approved by the Landscape Review Committee prior to any building permits or occupancy permits being issued. This condition applies to all uses regardless of whether or not the outside dimensions of the structure are being changed, save and except this condition does not apply to single-family **detached or attached**, ~~common wall single-family~~, or duplex residential uses;
- G. All outside lighting shall be directed away from residential zones and from residential uses in the office/residential zone;

- H. All business, service, repair, processing, storage, or merchandise displays shall be conducted wholly within an enclosed building except for the following:
 - 1. Off-street parking or loading.
 - 2. Temporary display and sales of merchandise, provided it is under cover of a projecting roof and does not interfere with pedestrian or automobile circulation.
- I. Items produced or wares and merchandise handled shall be limited to those sold at retail on the premises, except that home occupations are exempt from this limitation;
- J. Access points to and from the property must be approved by the City Engineer and the Planning Director;
- K. A plan showing the locations of all existing and proposed buildings and structures, parking areas and access points, lighting, signs, landscaping, and other such data as may have a bearing on the adjacent properties must be submitted to and approved by the Planning Director prior to issuance of any building permits and prior to any new use occupying an existing structure. The Planning Director shall approve said plan upon finding that all conditions and limitations of this title are met. Construction shall be in conformance with the approved plan. The Planning Director's decision may be appealed to the Planning Commission. Residential uses are exempt from this requirement. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

[17.24.050 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]

17.24.060 Yard requirements. For new structures and additions in an office/residential zone, yards shall be maintained as follows (these setbacks shall apply only to new construction):

- A. There shall be a front yard of not less than fifteen feet, ***except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters.***
- B. Side yards shall be not less than seven and one-half feet when adjacent to a residential zone; when adjacent to an office/residential zone, no side yard shall be required. ~~except that~~ Residential uses are subject to the side yard setback requirements of the R-4 zone, ***except as provided in Section 17.11.030(C), Table 1(e), Cottage Clusters;***
- C. Exterior side yards shall be a minimum of fifteen feet, ***except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters.***
- D. There shall be a rear yard of ~~not~~ ***no*** less than twenty feet when adjacent to a residential zone; when adjacent to a commercial zone or other property in this zone, then no rear yard setback shall be required. ~~except that~~ Residential uses are subject to the rear yard setback requirements of the R-4 zone, ***except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters..*** (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.070 Height of buildings. In an office/residential zone, a building shall not exceed a height of thirty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.080 Parking requirements. Parking shall be provided in accordance with Chapter **17.11 (housing) and** 17.60 of this ordinance. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.090 Parking variances.

- A. Variance to the parking requirements of Chapter 17.60 (Off-Street Parking and Loading) of this ordinance may be granted in the circumstance where an existing structure is being converted to a different use or occupancy subject to the following limitations:
1. At no time may a variance be granted for more than fifty percent of the required parking spaces.
 2. New structures may not be granted variances under this section.
 3. Variances approved under this section are not transferable and are valid only for the specific occupancy or use for which they are granted. Any new use desiring to locate in a structure or on property for which a variance has been granted regardless if such new use is in the same land use category as was the old use must either provide the required parking or receive variance approval.
- B. In entertaining a variance request, the Planning Commission may consider the following factors:
1. Is the variance necessary to preserve an existing structure and/or existing landscaping?
 2. Would the granting of a variance have an adverse impact on neighboring properties?
 3. Would the granting of the variance result in extensive street parking?
 4. Is there available public parking nearby?
 5. What is the expected traffic generation of the proposed use? Is it less than the required parking would indicate? (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

Chapter 17.33

C-3 GENERAL COMMERCIAL ZONE

17.33.010 Permitted uses. In a C-3 zone, the following uses and their accessory uses are permitted:

1. All uses and conditional uses permitted in the C-1 and C-2 zones, except those listed in Section 17.33.020;
2. Existing lawfully established single-family **detached** dwellings built and occupied prior to November 25, 2021.
 - a. Lots for these uses will be limited to their current sizes and cannot be expanded.
 - b. If the single-family **detached** dwelling is not occupied for more than a year as a residential use, it is no longer considered a permitted use.
 - c. Short-term rentals and resident-occupied short-term rentals will be considered a continued residential use for this code provision.
3. Existing lawfully established two-family **unit** dwellings built and occupied prior to November 25, 2021;

- a. Lots for these uses will be limited to their current sizes and cannot be expanded.
 - b. If the two-family **unit** dwelling is not occupied for more than a year as a two-family **unit** dwelling, it is no longer considered a permitted use.
4. A new or existing lawfully established accessory dwelling unit which is accessory to, and on the same lot as, an existing lawfully established single-family dwelling built and occupied prior to November 25, 2021, subject to the following standards:
- a. The accessory dwelling unit may be established by:
 - 1. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 - 2. Adding floor area to the primary dwelling, including a second story; or
 - 3. Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling.

The existing lawfully-established single-family dwelling shall remain designated as the primary dwelling.

- b. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.
- c. The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.
- d. The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.
- e. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.
- f. Not more than one accessory dwelling unit shall be allowed per lot or parcel.
- g. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.
- h. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.
- i. ADUs are exempt from the residential density standards of this code.
- j. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on same site.
- k. That a legally non-conforming accessory structure which is accessory to an existing lawfully established single-family dwelling may be converted to an accessory dwelling unit in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).

5. Condominiums subject to the provisions of the R-4 zone, except that within the City Center Housing Overlay Zone designated in Chapter 17.66, density limitations of the R-4 zone shall not apply, and any special development standards of the Overlay Zone shall supersede those of the R-4 zone.;
6. **Apartments**, Multiple-family dwelling subject to the provisions of the R-4 zone, except that within the City Center Housing Overlay Zone designated in Chapter 17.66, density limitations of the R-4 zone shall not apply, and any special development standards of the Overlay Zone shall supersede those of the R-4 zone.;
7. Upper-story residential;
8. **Single-Room Occupancy – Large Housing**

[...]

17.33.020 Conditional uses. In a C-3 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74:

- A. Social relief facility, when the following situations exist:
 1. The structure is not used as a residence by the operators, and/or
 2. Six or more people unrelated to the operator reside at the home at any one time.
- B. Public or private school;
- C. Public transportation passenger terminal;
- D. *Outside of the City Center Housing Overlay Zone*, a multiple-family dwelling or condominium constructed to a higher density than normally allowed in the R-4 multiple-family **dwelling** zone provided that the following conditions are met. It is the applicant's burden to show that the conditions have been met:
 1. That public and private utilities and services would not be overtaxed by the proposed development. Utilities and service include, but are not necessarily limited to, water, sanitary sewer, storm sewer, public schools, fire protection, police protection, electricity, natural gas, and telephone service.
 2. That the transportation network in the immediate area, as well as in the adjoining areas, is capable of handling the prospective increase in traffic flow.
 3. That off-street parking be provided at the rate of one and one-half parking stalls per unit. A variance to this requirement may be considered by the Planning Commission when the proposed housing structure is limited solely to elderly residents.
 4. That adjacent properties in other ownerships would not be caused to be limited to a lesser density than allowed in the zone as a direct result of the proposal using a "share" of that adjacent property's public or private utilities or services.
 5. That the provisions of this section may be utilized only in the core area, defined as that area bounded by First Street, Fifth Street, Adams Street and Johnson Street;

- E. Cable television ground receiving station;
- F. Utility transmission station;
- G. Water reservoir;
- H. Windmill, for generation of electricity or pumping water. (Ord. 5105 §2, 2021; Ord. 5104 §2, 2021; Ord. 4479A §4(part), 1991; Ord. 4279 §1(D), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.33.030 Yard requirements. Except as provided in Section 17.54.050, and “A” and “B” below, there shall be no required yards in a C-3 zone:

- A. Side yard shall not be less than twenty feet when adjacent to a residential zone;
- B. Rear yard shall not be less than twenty feet when adjacent to a residential zone. (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.33.040 Building height. In a C-3 zone, buildings shall not exceed a height of eighty feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.33.050 Use limitations. In a C-3 zone, outside storage abutting or facing a residential zone shall be enclosed by a sight obscuring fence. The fence shall obstruct the storage from view on the sides of the property abutting or facing a residential zone. The fence shall be of such material and design as will not detract from adjacent residences, shall be free of advertising, and shall be constructed according to plans submitted by the owner or authorized agent and approved by the Planning Director. Outside storage in a required yard shall not exceed ten feet in height. (Ord. 4477 §3, 1990).

Chapter 17.45

AH AGRICULTURAL HOLDING ZONE

17.45.010 Purpose. The purpose and intent of the agricultural holding zone is to provide for the continued practice of agriculture in areas where municipal sewer and water service exists or where an adopted city policy affecting the expansion of such services exists.

Further, uses allowed in this zone are to be consistent with proposals and policies contained in an adopted comprehensive plan for the city. The AH zone does not provide for an automatic farm use valuation for farms under the provisions of Oregon Revised Statutes, Chapter 308. However, the use of this zone shall not be construed as restricting in any manner the granting of deferments under the provisions of Oregon Revised Statutes, Section 308.375. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.020 Interpretation. Where the conditions imposed by any provision of this chapter are less restrictive than comparable conditions imposed by any other provisions

of this chapter or of any other ordinance, resolution, or regulation, the provisions which are more restrictive shall govern. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.030 Permitted uses. In the AH zone, the following uses and their accessory uses are permitted:

- A. Farming (definition as per ORS 215.203(a), (b), and (c), exempting a commercial feed lot operation of any kind);
- B. Single-family **detached** dwelling when comprehensive plan map designation is "residential";
- C. Sewage pump station. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.040 Conditional uses. In the AH zone, the following uses and their accessory uses may be permitted, subject to the provisions of Chapters 17.72 and 17.74:

- A. Public service or public utility buildings and structures, with no interior storage of any kind and no garages for the repair and/or maintenance of equipment;
- B. Park, golf course and other open-land recreational uses, but excluding commercial amusement uses such as golf driving range, race track or amusement park or other similar uses;
- C. Public safety facility;
- D. Home occupation;
- E. Electrical power substation;
- F. Water reservoir;
- G. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55 (Wireless Communications Facilities). (Ord. 4732, 2000; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.050 Lot size. In an AH zone, a lot that is less than ten acres may not be created. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.060 Yard requirements. In an AH zone, the minimum yard requirements shall be as follows:

- A. Front yards shall be a minimum of thirty feet, except as otherwise required by planned development provisions;
- B. Side yards:
 1. Single-family **detached** dwellings, ten feet,
 2. Public utility structures, five feet,
 3. Barns, fifty feet; all other structures, twenty-five feet;
- C. Rear yards:
 - E. Single-family **detached** dwellings, twenty feet,
 - F. Public utility structures, five feet,
 - G. Barns, fifty feet; all other structures, twenty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.070 Building height. Building height in an AH zone shall be as follows:

- A. Twenty-five percent of lot depth or sixty feet maximum;
- B. Single-family **detached** dwellings, thirty-five feet maximum. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

[17.45.080 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]

Chapter 17.53

LAND DIVISION STANDARDS (as adopted Ord. 4905, Jan. 27, 2009)

[...]

Subdivision

17.53.070 Submission of Tentative Subdivision Plan. An application to subdivide land shall be submitted in accordance with the application submittal procedures as stated in Sections 17.72.020 through 17.72.070 and shall be reviewed and approved under the following procedure: A subdivider shall prepare a tentative plan together with improvement plans and other supplementary material required to indicate his general program and objectives, and shall submit 25 (twenty-five) copies of the tentative plan and supplementary data to the Planning Director's office. The tentative plan need not be a finished drawing, but shall show pertinent information to scale in order that the review body may properly review the proposed development. Additionally, condominiums shall be processed under the provisions of ORS 100. All subdivision developments shall comply with the requirements of the Oregon Fire Code.

- A. Scale. The tentative plan shall be drawn on a sheet 18 (eighteen) by 24 (twenty-four) inches in size at a scale of one inch equals 50 (fifty) feet, or a reasonable engineer's scale for the sheet size. A smaller sheet size may be used provided that all required information is legible and is approved for use by the Planning Department.
- B. General Information. The following general information shall be shown on the tentative plan:
 1. Proposed name of subdivision. No plan of a subdivision shall be approved which bears a name which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the same county, except for the words "town," "city," "place," "court," "addition," or similar words, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the subdivision bearing that name. All plats must continue the block numbers of the contiguous subdivision plat of the same name last filed; Date, north arrow, and scale of drawing;
 2. Appropriate identification clearly stating the plan is a tentative plan;
 3. Location of the subdivision sufficient to define the location and boundaries of the proposed tract;
 4. Names and addresses of the owner(s), subdivider, engineer, and surveyor;
 5. In the event the subdivider plans to utilize the provisions of ORS 92.060 as pertains to "Delayed Monumentation," he shall notify the County

- Surveyor and Planning Commission and report said fact on the tentative plan;
6. A subdivision guarantee report issued by a title insurance company in the name of the owner(s) of the land, showing all parties whose consent is necessary and their interest in the premises and all encumbrances, covenants, and other restrictions pertaining to the subject property.
- C. Existing Conditions. The following existing conditions shall be shown on the tentative plan:
1. The location, widths, and names of both opened and unopened streets within or adjacent to the tract, together with easements and other important features, such as section lines, city boundary lines, and monuments;
 2. The direction of slope by means of arrows or other suitable symbol;
 3. The location of at least one temporary bench mark, on established City datum, within 200 feet of the plat boundaries;
 4. The location and direction of water courses, and the location of areas subject to flooding on a probability frequency one (1) percent or greater;
 5. Natural features such as rock outcroppings, marshes, wooded areas, and isolated preservable trees. Areas noted in the Comprehensive Plan, Volume I Background Element, Chapter VII, The Parks and Recreation and Open Space Master Plan (1999), as potential open space lands should be identified;
 6. Existing uses of the property, including location of existing structures to remain on the property after platting.
- D. Proposed Plan of Subdivision. The following information shall be included on the tentative plan:
1. The location, width, names, approximate grades, and radii of curves of streets. The relationship of streets to any existing streets and to any projected streets as shown on the McMinnville Comprehensive Plan Map 1980, as amended, or as identified in the McMinnville Comprehensive Plan text and Transportation System Plan, or as may be suggested by the Planning Commission in order to assure adequate traffic circulation;
 2. The location, width, and purpose of easements;
 3. The location and approximate dimensions of lots and the proposed lot and block numbers;
 4. Sites, if any, allocated for purposes other than single-family **detached** dwellings, such as multiple-family dwellings, parkland, open space common areas, etc.
 5. Access. As required by the Oregon Fire Code, a minimum of two access points is required when more than 30 (thirty) ~~one-family or two-family~~ **detached** dwellings or one-hundred multi-family **dwelling** units are being served.
- E. Partial Development. If the tentative subdivision plan pertains to only part of the tract owned or controlled by the subdivider, the requirements of Section 17.53.090 (future development plan) shall apply.
- F. Explanatory Information with Tentative Subdivision Plan. The following information shall be required by the Planning Commission or staff and if it

cannot be shown practicably on the tentative plan, it shall be submitted in separate statements accompanying the tentative plan:

1. A vicinity plan, showing existing subdivisions and unsubdivided land ownerships adjacent to the proposed subdivision, and showing how proposed streets and utilities may be extended to connect to existing streets and utilities;
 2. Proposed deed restrictions, if any, in outline form;
 3. The location of existing sewers, water mains, culverts, drain pipes, and electric lines and elevations of sewers at points of probable connections within the subdivision and in the adjoining streets and property;
 4. Special studies of areas which appear to be hazardous due to local conditions such as inundation or slippage;
 5. Contour lines related to an established bench mark on city datum and having minimum intervals as follows:
 - a. For slopes of less than five (5) percent: show the direction of slope by means of arrows or other suitable symbol together with not less than four (4) spot elevations per acre, evenly distributed;
 - b. For slopes of five (5) percent to 15 (fifteen) percent: two (2) feet;
 - c. For slopes of 15 (fifteen) percent to 20 (twenty) percent: five (5) feet;
 - d. For slopes of over 20 (twenty) percent: 20 (twenty) feet.
- G. Supplemental Plans with Tentative Subdivision Plans. Any of the following plans may be required by the Planning Commission or staff to supplement the plan of subdivision:
1. Approximate center line and right-of-way profiles with extensions for a reasonable distance beyond the limits of the proposed subdivision showing the finished grade of the streets and the nature and extent of street construction. Where any cut or fill will exceed three (3) feet in depth, a cross section of the road shall also be submitted.
 2. Proposals for storm water drainage and flood control, including profiles of proposed drainage ways.
 3. If lot areas are to be graded, a plan showing the nature of cuts and fills exceeding five (5) feet, and information on the character of the soil. (Ord. 4920, §4, 2010)

[...]

17.53.075 Submission of Final Subdivision Plat. Within 12 (twelve) months after approval of the tentative plan, the subdivider shall prepare a final plat in conformance with the tentative plan as approved. The subdivider shall submit the original drawing and two exact copies and any supplementary information to the City Engineer. Approval of the tentative subdivision plan shall be valid for a one-year period from the effective date of approval. Upon written request, the Director may approve a one-year extension of the decision. Additional extensions shall require the subdivider to resubmit the tentative plan to the Planning Commission and make any revisions considered necessary to meet changed conditions.

- A. Information on Final Plat. In addition to that specified by ORS 92.050 and ORS 209.250, the following information shall be shown on the final plat and/or complied with:
1. The date, scale, north point, legend, controlling topography, such as bluffs, creeks, and other bodies of water, and existing cultural features, such as highways and railroads;
 2. Legal description of the tract boundaries;
 3. Name of the owner, subdivider, and surveyor;
 4. Reference points of existing surveys identified, related to the plat by distances and bearings, and referenced to a field book or map as follows:
 - a. Stakes, monuments, or other evidence found on the ground and used to determine the boundaries of the subdivision;
 - b. Adjoining lot corners of adjoining subdivisions;
 - c. Oregon Coordinate System
 - d. Error of closure throughout the subdivision shall not exceed one foot in 10,000 feet;
 - e. Measurement error shall not exceed one tenth of a foot between monuments, or one ten-thousandth of the distance shown on the subdivision plat, whichever is greater.
 - f. Other monuments found or established in making the survey of the subdivision or required to be installed by provisions of this ordinance.
 5. The exact location, deflection angle, and width of streets and easements intercepting the boundary of the tract. The width of the portion of streets being dedicated and the width of existing right-of-way. For streets on curvature, curve data shall be based on the street center line. In addition to showing bearings in degrees, minutes, and seconds of a degree and distances in feet and hundredths of a foot, the following curve information shall be shown on the subdivision either on the face of the map or in a separate table:
 - a. Arc length;
 - b. Chord length;
 - c. Chord bearing;
 - d. Radius; and
 - e. Central angle.
 6. Tract, block, and lot boundary lines and street rights-of-way and center lines, with dimensions, bearing and deflection angles, radii, arcs, points of curvature, and tangent bearings. Flood plain and normal high water lines for any creek or other body of water. Tract boundaries and street bearings shall be shown to the nearest 30 (thirty) seconds with basis of bearings. Distances shall be shown to the nearest 0.01 feet. No ditto marks shall be used;
 7. Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement of record is not definitely located, a statement of the easement shall be given. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the subdivision shall be shown. If the easement is being dedicated by the plat, it shall be properly referenced in the owner's certificates of dedication;

8. Lot numbers beginning with the number "1" and numbered consecutively;
9. Area of each lot shall be shown on the face of the plat, with acreage calculated to 1/100 acre or square footage to nearest square foot, when area is less than one acre;
10. Identification of land parcels to be dedicated for any purpose, public or private, so as to be distinguishable from lots intended for sale;
11. The following declarations which may be combined where appropriate;
 - a. A declaration signed and acknowledged by all parties having any recorded title or interest in the land, consenting to the preparation and recording of the plat;
 - b. A declaration signed and acknowledged as above, dedicating all parcels of land shown on the final map intended for public use except those parcels which are intended for the exclusive use of the lot owners in the subdivision, their licenses, visitors, **and** tenants, ~~and servants~~;
 - c. A declaration with the seal of the surveyor responsible for the survey and final map;
 - d. Other declarations, deed restrictions, or covenants as now or hereafter may be required by law.
12. A statement of water right, if appropriate, and, if a water right is appurtenant, a copy of the acknowledgment from the Water Resources Department must be attached before the County recording officer may accept the plat of the subdivision for recording (ORS 92.120).

[...]

Approval of Streets and Ways

17.53.100 Creation of Streets.

- A. The creation of streets shall be in conformance with requirements for a subdivision except, however, the City Council shall recommend the creation of a street to be established by deed if any of the following conditions exist:
 1. The establishment of the street is initiated by the City Council and is declared essential for the purpose of general traffic circulation, and the partitioning of land is an incidental effect rather than the primary objective of the street;
 2. The tract in which the street is to be dedicated is an isolated ownership of one acre or less;
 3. The tract in which the street is to be dedicated is an isolated ownership of such size and condition as to make it impractical to develop more than three (3) lots.
- B. In those cases where approval of a street is to be established by deed, a copy of the proposed deed shall be submitted to the City Engineer at least 15 (fifteen) days prior to the Planning Commission meeting at which consideration is desired. The deed and such information as may be

submitted shall be reviewed by the Planning Commission and, if not in conflict with the standards of Sections 17.53.060 to 17.53.079 and Section 17.53.101 of these regulations, shall be recommended for approval with such conditions as are necessary to preserve these standards.

- C. An easement providing access to property and which is created to allow the partitioning of land for the purpose of lease, transfer of ownership, or building development, whether immediate or future, shall be in the form of a street in a subdivision, except that a private easement to be established by deed without full compliance with these regulations may be approved by the Planning Director under the following conditions:
1. If it is the only reasonable method by which the rear portion of a lot being unusually deep or having an unusual configuration that is large enough to warrant partitioning into two more new parcels, i.e., a total of not more than three (3) parcels including the original may then exist, that may be provided with access and said access shall be not less than 15 (fifteen) feet in width and shall have a hard surfaced drive of 10 (ten) feet width minimum;
 2. The Planning Director shall require the applicant to provide for the improvement and maintenance of said access way, and to file an easement for said access way which includes the right to passage and the installation of utilities. Such requirements shall be submitted to and approved by the City Attorney.
 3. Access easements shall be the preferred form of providing access to the rear lots created by partition if the alternative is the creation of a flag lot.
- D. A private way/drive which is created to allow the subdivision of land shall be in the form of common ownership, provide on-street parking or parking bays to replace that displaced by limited parking area, be approved by the Planning Commission in the form of a planned development, and meet the following conditions:
1. If it is the only reasonable method by which the rear portion of the existing parcel can be provided with access; or because of unusual topography, vegetative cover (preservable trees), lot size, or shape, it is the most feasible way to develop the parcel.
 2. The Planning Commission shall require the subdivider to provide the improvements to standards as set forth in Section 17.53.101(P) and maintenance of said private way/drive; to establish binding conditions upon each parcel taking access over said private way/drive, not limited to only the required maintenance, but to include adherence to the limited parking restrictions imposed by the individual planned development ordinance; and to provide necessary easements for the installation, operation, and maintenance of public utilities.
 3. Provisions must be made to assure that the private streets will be properly maintained over time and that new purchasers of homes or lots within the subdivision are notified, prior to purchase, that the street is private and that maintenance fees may be charged. Such provisions must meet with the approval of the Planning Commission.

4. Street sign posts on private streets must contain a sign stating that the street is private. The design and location of such signs must be approved by the City Engineer.
5. Gates are prohibited within or across public rights-of-way. Gates are prohibited across private streets that serve single-family **detached** residential development of four or more lots or parcels, multi-family **dwelling** housing complexes, manufactured home parks, or commercial or industrial subdivisions (Amended 8/14/07 by Ordinance No. 4879).

17.53.101 Streets.

- A. General. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets. Where location is not shown in a comprehensive plan, the arrangement of streets in a subdivision shall:
1. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
 2. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical; or
 3. Maximize potential for unobstructed solar access to all lots or parcels. Streets providing direct access to abutting lots shall be laid out to run in a generally east-west direction to the maximum extent feasible, within the limitations of existing topography, the configuration of the site, predesigned future street locations, existing street patterns of adjacent development, and the preservation of significant natural features. The east-west orientation of streets shall be integrated into the design.

[...]

- U. Gates. Gates are prohibited within or across public rights-of-way. Gates are also prohibited across private streets that serve single-family **detached** residential development of four or more lots or parcels, multi-family **dwelling** housing complexes, manufactured home parks, or commercial or industrial subdivisions. The City may permit gates of limited duration for the purpose of facilitating public events, construction of public infrastructure, or other similar activities having a public interest or benefit at the discretion of the City Manager. (Ord. 5023, §2, 2017; Ord. 4922, §4B, 2010; Amended 8/14/07 by Ordinance No. 4879.)

[...]

17.53.105 Lots.

- A. Size and shape. Lot size, width, shape, and orientation shall be appropriate for the location of the subdivision and for the type of use contemplated. All lots in a subdivision shall be buildable.
 - 1. Lot size shall conform to the zoning requirement of the area. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use contemplated. The depth of lot shall not ordinarily exceed two times the average width.
- B. Access. Each lot shall abut upon a street other than an alley for a width of at least 25 (twenty-five) feet or shall abut an access easement which in turn abuts a street for at least 15 (fifteen) feet if approved and created under the provisions of 17.53.100(C). Direct access onto a major collector or arterial street designated on the McMinnville Comprehensive Plan Map shall be avoided for all lots subdivided for single-family **detached**, common wall, or duplex residential use, unless no other access point is practical.
- C. Through lots. Through lots shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement at least 10 (ten) feet wide, and across which there shall be no right of access, may be required along the line of lots abutting such a traffic artery or other incompatible use.
- D. Lot side lines. The side lines of lots, as far as practicable, shall run at right angles to the street upon which the lots face.
- E. Flag lots. The creation of flag lots shall be discouraged and allowed only when it is the only reasonable method of providing access to the rear of a lot which is large enough to warrant partitioning or subdividing.

[...]

Chapter 17.54

GENERAL REGULATIONS

(as amended Ord. 4912, March 24, 2009)

[...]

17.54.140 Keeping of Animals in a Residential Zone. It is not permissible to keep exotic, dangerous or wild animals as domestic pets. This includes any mammal, fowl, fish or any other species not commonly considered as pets or commonly raised for food or agricultural purposes which would be a possible threat to the life or health of humans as determined by the Yamhill County Animal Control Officer and the Planning Director. The slaughtering of animals is not permissible in residential zones.

- A. The keeping of the following animals is permitted in residential zones:
 - 1. Domestic dogs.
 - 2. Domestic cats.
 - 3. Gerbils, hamsters, rats or similar rodents kept in cages.

4. Non carnivorous fish kept in tanks and ponds.
 5. Non venomous reptiles.
 6. Domestic rabbits, consistent with the requirements of Section 17.54.140(B)(3). (Rabbits kept for commercial purposes or for food production are prohibited.)
 7. Vietnamese pot bellied pigs (one per residence).
 8. Domestic fowl or birds for non-commercial purposes excluding roosters and peacocks, consistent with the requirements of Section 17.54.140(B)(3).
 9. Livestock, consistent with the requirements of Section 17.54.140(B)(2)
- B. The following conditions shall apply in a zone when animals are permitted:
1. A dog kennel or dog facility exists when four (4) or more dogs of licensable age (six months or older) are kept for commercial reasons such as breeding, buying, selling or boarding. Such facilities are prohibited in a residential zone.
 2. In addition to the minimum lot area ~~per family~~ requirement for the zone, a minimum area of one-half acre of land (exclusive of buildings) shall be provided for accommodation of the animals listed in Subsections (a) and (b) below. The following animals are permitted in residential zones and shall not exceed the following density requirements:
 - a. One horse or one cow over six months of age for each additional half acre (21,780 square feet) over the minimum lot size.
 - b. Two sheep or two goats (or similar size livestock) over six months of age per each additional half acre over the minimum lot size.
 3. A minimum of 5,000 square feet of lot area is required to maintain up to two (2) fowl (excluding roosters and peacocks) or two (2) rabbits, or combination thereof. Each rabbit or fowl in excess of this number shall require an additional 1,000 square feet of lot area.
 4. No enclosure or pen for animals shall be placed in front of the residence nor shall it be closer than 70 feet to a front property line, 15 feet to a side property line or 10 feet to a rear property line.

Chapter 17.57

LANDSCAPING

17.57.010 Purpose and intent. The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. The City recognizes the value of landscaping in achieving the following objectives:

- A. Provide guidelines and standards that will:

1. Reduce soil erosion and the volume and rate of discharge of storm water runoff.
 2. Aid in energy conservation by shading structures from energy losses caused by weather and wind.
 3. Mitigate the loss of natural resources.
 4. Provide parking lot landscaping to reduce the harmful effects of heat, noise and glare associated with motor vehicle use.
 5. Create safe, attractively landscaped areas adjacent to public streets.
 6. Require the planting of street trees along the City's rights-of-way.
 7. Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character and value of existing neighborhoods.
 8. Provide shade, and seasonal color.
 9. Reduce glare, noise and heat.
- B. Promote compatibility between land uses by reducing the visual noise and lighting impacts of specific developments on users of the site and abutting properties.
- C. Unify development and enhance and define public and private places.
- D. Preserve existing mature trees.
- E. Enhance the urban forest and tree canopy.
- F. Encourage the use of plants native to the Willamette Valley to the maximum extent feasible, in order to reduce watering requirements and agricultural chemical applications, and to provide a sense of regional identity with plant communities unique to the area.
- G. Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.
- H. Support McMinnville as a community that cares about its appearance.

It is further recognized that landscaping increases property values, attracts potential residents and businesses to McMinnville, and creates safer, more pleasant living and working environments for all residents and visitors to the city.

The guidelines and standards contained in this chapter serve to help McMinnville realize the objectives noted above. These guidelines and standards are intended as minimum standards for landscape treatment. Owners and developers are encouraged to exceed these in seeking more creative solutions both for the enhanced value of their land and for the collective health and enjoyment of all citizens of McMinnville. The landscaping provisions in Section 17.57.070 are in addition to all other provisions of the zoning ordinance which relate to property boundaries, dimensions, setback, vehicle access points, parking provisions and traffic patterns. The landscaping objectives shall also seek to accomplish the purposes set forth in Section 17.03.020. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.020 Definitions. For the purposes of this section, refer to Section 17.06.035 for Landscaping related definitions. (Ord. 4952 §1, 2012).

17.57.030 Zones where required. Landscaping shall be required in the following zones except as otherwise noted:

- A. R-4 (Multiple-Family **Dwelling** Residential zone, except the construction of a ~~Single-Family or Two-Family~~ **detached or plex** residential unit **units**);
- B. C-1 (Neighborhood Business zone);
- C. C-2 (Travel Commercial zone);
- D. C-3 (General Commercial zone);
- E. O-R (Office/Residential zone);
- F. M-L (Limited Light Industrial zone);
- G. M-1 (Light Industrial zone);
- H. M-2 (General Industrial zone). (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.040 Specific uses requiring landscaping.

- A. Churches, subject to the landscaping requirements of a multiple-family **dwelling** development when in a residential zone and subject to the landscaping requirements of a commercial development when in a zone other than residential;
- B. Utility substations, subject to the landscaping requirements of commercial uses.
- C. Mobile home park, subject to the requirements of a multiple-family **dwelling** development;
- D. Multiple-family **dwelling**, commercial, and industrial uses in residential planned developments, subject to the landscaping requirements of the type of use in the planned development. (Ord. 5027 §2, 2017; Ord. 4264 §1, 1983; Ord. 4254 §1, 1983; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

[...]

17.57.070 Area Determination—Planning factors.

- A. Landscaping shall be accomplished within the following ranges:
 - 1. Industrial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
 - 2. Commercial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
 - 3. Multiple-family **dwelling**, twenty-five percent of the gross area. This may be reduced to not less than fifteen percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by

the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)

4. A parking lot or parking structure built in any zone providing parking spaces as required by the zoning ordinance shall be landscaped in accordance with the commercial requirements set forth above in subsection 2 of this section.
5. Any addition to or expansion of an existing structure or parking lot which results in additional lot coverage shall be landscaped as follows: Divide the amount of additional lot coverage (building area, not including basement or upper floors, plus required parking and loading zones) by the amount of the existing lot coverage (building area, not including basement or upper floors, plus required parking and loading zones), multiply by the percentage of landscaping required in the zone, multiply by the total lot area of both the original development and the addition; however, the total amount of the landscaping shall not exceed the requirements set forth in this subsection.

a. ALC (additional			
<u>lot coverage)</u>	X	% of landscaping	X Total
ELC (existing		required	lot area
lot coverage)			

b. Landscaping to be installed on an addition or expansion may be spread over the entire site (original and addition or expansion projects) with the approval of the review committee;

- B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
 1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.
 2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.
 3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.
 4. The development and use of islands and plantings therein to break up parking areas.
 5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.
 6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;
- C. All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement. Minor changes in the landscape plan, such as

like-for-like replacement of plants, shall be allowed, as long as they do not alter the character and aesthetics of the original plan. It shall be the Planning Director's decision as to what constitutes a major or minor change. Major changes to the landscape plan shall be reviewed and approved by the Landscape Review Committee. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

[...]

Chapter 17.58

TREES

(as adopted by Ord. 4654B Dec. 9, 1997)

[...]

17.58.080 Street Tree Planting—When Required. All new multi-family **dwelling** development, commercial or industrial development, subdivisions, partitions, or parking lots fronting on a public roadway which has a designated curb-side planting strip or planting island shall be required to plant street trees in accordance with the standards listed in Section 17.58.090. (Ord. 4654B §1, 1997).

[...]

17.58.100 Street Tree Plans

A. Submittal.

1. Subdivisions and Partitions: Street tree planting plans shall be submitted to the Landscape Review Committee for review and approval prior to the filing of a final subdivision or partition plat.
2. Commercial, Industrial, Parking Lots, and Multi-family **dwelling** Residential Development: Landscape plans, to include street tree planting as may be required by this ordinance, shall be submitted to the Landscape Review Committee for review and approval prior to the issuance of a building permit.

B. Street Tree Plan Content. At a minimum, the street tree planting plan should:

1. Indicate all existing trees, noting location, species, size (caliper and height) and condition;
2. Indicate whether existing trees will be retained, removed or relocated;
3. Indicate the measures to be taken during site development to ensure the protection of existing trees to be retained;
4. Indicate the location, species, and size (caliper and height) of street trees to be planted;
5. Indicate the location of proposed and existing utilities and driveways; and

6. Indicate the location of rights-of-way, existing structures, driveways, and existing trees including their species, size, and condition, within twenty feet of the subject site. (Ord. 4654B §1, 1997).

17.58.110 Street Tree Planting

- A. Residential subdivisions and partitions.
 1. Planting Schedule: Street trees required of residential subdivisions and partitions shall be installed prior to submittal of a final subdivision plat or partition plat. As an alternative the applicant may file a surety bond or other approved security to assure the planting of the required street trees, as prescribed in Section 17.53.153.
- B. Commercial, Industrial, Multi-family **dwelling**, Parking Lot Development.
 1. Planting Schedule: Street trees required of a commercial, industrial, multi-family **dwelling**, or parking lot development shall be installed at the time all other required landscaping is installed. (Ord. 4654B §1, 1997).

17.58.120 Street Tree Maintenance.

- A. Street trees shall be continually maintained, including necessary watering, weeding, pruning and replacement, by the developer or property owner for one full growing season following planting, or as may be required by the City.
- B. Street tree plans, or landscape plans including street trees, shall be maintained in perpetuity. In the event that a street tree must be replaced, the adjacent property owner or developer shall plant a replacement tree of a species from the approved street tree or landscape plan.
- C. Maintenance of street trees, other than those located in the Downtown Tree Zone shall be the continuing obligation of the abutting property owner. The City shall undertake regular maintenance of street trees within the Downtown Tree Zone in accordance with appropriate horticultural practices including pruning and fertilizing to properly maintain the health of such trees. (Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).
- D. Street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks and thirteen (13) feet above local streets, fifteen (15) feet above collector streets, and eighteen (18) feet above arterial streets. This provision may be waived in the case of newly planted trees so long as they do not interfere with public travel, sight distances, or endanger public safety as determined by the City. Major pruning, as defined in Section 17.58.020, of a street tree must be approved by the City in accordance with Section 17.58.040. (Ord. 5027 §2, 2017; Ord. 4654B §1, 1997).

Chapter 17.59

DOWNTOWN DESIGN STANDARDS AND GUIDELINES

(as adopted Ord. 4797, Oct. 23, 2003)

17.59.010 Purpose. To provide for the protection, enhancement and preservation of buildings, structures, and other elements in the downtown core which contribute to its special historic and cultural value. Further, it is not the purpose of this ordinance to create a “themed” or artificial downtown environment. Rather, its purpose is to build on the “main street” qualities that currently exist within the downtown and to foster an organized, coordinated, and cohesive historic district that reflects the “sense of place,” economic base, and history unique to McMinnville and the downtown core. (Ord. 4797 §1, 2003).

17.59.020 Applicability.

- A. The provisions of this Chapter shall apply to all lands located within the area bounded to the west by Adams Street, to the north by 4th Street, to the east by Kirby Street, and to the south by 1st Street. Lands immediately adjacent to the west of Adams Street, from 1st Street to 4th Street, are also subject to the provisions of this Chapter.
- B. The provisions of this ordinance shall apply to the following activities conducted within the above described area:
 - 1. All new building construction;
 - 2. Any exterior building or site alteration; and,
 - 3. All new signage.
- C. This ordinance shall not apply to the following activities or uses:
 - 1. Maintenance of the exterior of an existing structure, such as re-roofing, re-siding, or repainting where similar materials and colors are used that comply with this ordinance;
 - 2. Interior remodeling; and,
 - 3. Single-family **detached** detached housing.
- D. The Planning Director shall determine whether any proposed maintenance activity complies with this ordinance and whether the proposed activity is subject to the review procedures contained in this chapter.
- E. This ordinance shall apply only to those portions of a building or sign that are proposed for construction or modification and shall not extend to other elements of the building or sign that may be out of compliance with the requirements of this ordinance (i.e., a permit to replace a single window shall not require that all other windows on the building that may be out of compliance with this ordinance to be replaced, unless such action is initiated by the property owner). However, if a building should be destroyed due to fire, accident, or an act of God, the new or replacement structure shall be rebuilt to conform to the requirements of this ordinance. (Ord. 5034 §2, 2017; Ord. 4797 §1, 2003).

[...]

Chapter 17.60

OFF—STREET PARKING AND LOADING

[...]

17.60.050 Spaces—Location.

- A. Except as provided below, required off-street parking spaces for dwellings shall be located on the same lot with the dwelling. For the following residential uses, off-street parking shall be located not farther than five hundred feet from the building or use they are required to serve, measured in a straight line from the building.
 - 1. Off-street parking for one or two upper story residential dwelling units above a non-residential use
 - 2. Off-street parking for residential uses in the City Center Housing Overlay Zone designated in Chapter 17.66
- B. All other required parking spaces shall be located not farther than two hundred feet from the building or use they are required to serve, measured in a straight line from the building.
- C. When parking is provided on a different lot than the use it is required to serve, the applicant shall provide evidence of a binding parking agreement for use of the property for off-street parking consistent with the provisions of this Chapter for as long as the parking is required to serve the property. If the property is in different ownership or subsequently conveyed to a different owner, the parking agreement shall be recorded. (Ord 5105 §2, 2021; Ord 5060 §2, 2018; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.60.060 Spaces—Number required. Except for the southerly 100 feet of Block 10 and the northerly 100 feet of Block 11, Rowland's Addition and the area bounded by Second Street, Adams Street, Fourth Street, and Galloway Street, at the time of erection of a new structure or at the time of enlargement or change of use of an existing structure, off-street parking spaces shall be provided as follows unless greater requirements are otherwise established. Where square feet are specified, the area measured shall be the gross floor area primary to the functioning of the particular use of the property but shall exclude space devoted to off-street parking or unloading.

- A. Residential land use category:
 - 1. Bed and breakfast establishments One space for the first two guest sleeping rooms and an additional space for each additional guest sleeping room.
 - 2. Boarding house, lodginghouse, or roominghouse One space per two guest accommodations.

- | | |
|---|--|
| 3. Fraternity, sorority, cooperative, or dormitory | One space per two sleeping accommodations. |
| 4. Multiple-family dwelling | One and one-half spaces per dwelling with less than three bedrooms, two spaces per dwelling unit with three or more bedrooms, and one space per dwelling unit which is expressly reserved for senior or handicapped persons. |
| 5. Single-family detached and two-family dwelling | Two spaces per dwelling with four or fewer bedrooms, and one additional space for every two additional bedrooms. |
| 6. Short term rental and resident occupied short term rental. | One space for each guest room |
| 7. Missing Middle Housing – Duplexes, Triplexes, Quadplexes, Cottage Clusters, Townhomes, Tiny Homes | One space per dwelling unit. |
| 8. Affordable Housing – Two-bedroom or less, serving households of 80% AMI or less | 0.5 spaces per dwelling unit. |

[...]

17.60.080 Design requirements.

- A. All parking lots and driving aisles shall be asphaltic cement concrete or Portland cement concrete with driving aisles, maneuvering aisle and parking spaces clearly marked, except that in an industrial zone, parking spaces which are in addition to those required by this chapter, may be surfaced with a minimum of treated gravel and maintained dust free.
- B. In a residential zone, a required front yard or a required side yard adjacent to the street shall not be used for any purpose except for off-street parking of motor vehicles, unless otherwise allowed by this ordinance, and such parking space shall not be less than twenty feet in depth from the property line.
- C. Safe access shall be provided as follows:
 - 1. Access aisles shall be of sufficient width for all vehicular turning and maneuvering.
 - 2. Groups of more than four parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.
 - 3. Driveways to off-street parking areas shall be designed and constructed to facilitate the flow of traffic and to provide for maximum safety of pedestrians and vehicular traffic on the site.

4. Clear vision areas shall be provided at driveway exits for all uses except single-family ~~residential~~ **detached dwellings** and ~~two-family residential~~ and **plexes**, shall have minimum dimensions of ten feet measured along the street right-of-way and the edge of the driveway. In commercial and industrial zones, buildings and signs may be constructed with cantilevers which extend out over the clear vision area at a height greater than eight feet when measured from the top of the curb, or where no curb exists, from the established centerline grade. Except for existing permanent buildings and structures (other than signs), nonconformities shall be made to comply with the provisions of this section within seven years from the date of its adoption.
 5. Driveway cuts shall be a minimum of twenty feet from a street intersection.
- D. Parking areas shall be made compatible with surrounding uses as follows:
1. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or a bumper rail so placed to prevent a motor vehicle from extending over an adjacent property, sidewalk, or street.
 2. When a parking area in a commercial or industrial zone abuts a property in a residential zone, a site-obscuring fence or wall, either permanent or of living material, shall be placed along the affected property line. The responsibility for placement of the fence or wall lies with the commercial or industrial property.
 3. Artificial lighting which may be provided shall be so deflected as not to shine or create glare in any residential zone or on any adjacent dwelling.
- E. Space size minimum shall be as follows:
1. Handicap parking spaces shall be a minimum of twelve feet wide and 19 feet in length.
 2. Compact and subcompact parking spaces shall be a minimum of eight feet by sixteen feet.
 3. Standard parking spaces shall be a minimum of eight feet six inches by nineteen feet.
- F. The type of space shall be set as follows:
1. Handicap spaces shall be required and designated as per current federal, state, and local regulations.
 2. Standard spaces shall comprise not less than sixty-five percent of all newly constructed lot spaces.

Except as varied for good cause by the Building Official or Planning Director, maneuvering room shall be required and parking stalls measured according to the following table:

[...]

17.60.100 Reduced requirements for certain area.

- A. In the area bounded by Adams Street, Ford Street, Fourth Street, and Seventh Street, required off-street parking spaces for commercial

establishments may be one-half of the number stated for the particular use in Section 17.60.060 (see special parking requirements map below).

- B. Except as provided in Subsection (C), within the City Center Housing Overlay Zone designated in Chapter 17.66, minimum required off-street parking spaces for residential uses shall be one space per dwelling unit.
- C. Within the areas described in Section 17.60.060 and 17.60.100 and depicted in the “Reduced Parking Requirements” map, minimum required off-street parking spaces for multi-family **dwelling** residential uses shall be 0.5 space per dwelling unit for studio and 1-bedroom dwellings. (Ord 5105 §2, 2021)

[...]

Chapter 17.61

SOLID WASTE AND RECYCLING ENCLOSURE PLAN

(as adopted by Ord. 4883, December 11, 2007)

17.61.010 Purpose and Intent. The purpose and intent of this chapter is to provide efficient, safe and convenient locations for solid waste and recycling containers, to provide adequate on-site maneuvering for collection vehicles and to ensure that solid waste enclosures for all commercial, industrial and multi-family **dwelling** development are in compliance with the solid waste and recycling pick-up standards of the service provider while contributing to the overall appearance and attractiveness of the City of McMinnville.

17.61.020 Applicability and Exemptions.

- A. The requirements of this chapter shall apply to all new commercial, industrial and multi-family **dwelling** developments of three (3) or more dwelling units.
- B. Existing development is exempt from the above requirements. Change-of-use and tenant improvement applications will be assessed on an individual basis for their conformity to the enclosure requirements based on intensity of use and recommendations of the service provider.
- C. When unique physical constraints exist on a property, the Planning Director has the authority to work with the property owner to establish an alternative trash and recycling enclosure plan while still preserving the intent of the requirements of this chapter. Additionally, the Planning Director, in consultation with the service provider, has the authority to grant an exception to the requirement for a solid waste and recycling enclosure if it is determined that the proposed use will not generate enough trash and recycling to necessitate the use of trash receptacles which require screening or if the receptacles are to be maintained inside the building.

17.61.030 Guidelines and Standards.

- A. The location of an enclosure must allow for collection agency drive-in access. A fifty-foot (50) access approach is recommended. In addition to the approach, either an exit that allows the truck to move forward or a turn area with a minimum radius of 46.5 feet is preferred. Both approach and location shall be unobstructed and free of over head wires and low hanging trees. An eighteen-foot (18) minimum height clearance above the enclosure approach is required and a thirty-two-foot (32) vertical clearance is required above the container itself. The enclosure shall be of sufficient size to store trash and recycling receptacles, the size of which shall be determined by the collection agency and will be based on proposed use. A minimum distance of two-feet (2) is required between the container and existing or proposed structures. The enclosure shall be a minimum of six-feet (6) tall or six inches (6) higher than the top of the tallest container.
- B. Solid waste enclosures shall not be located within twenty-feet (20) of a required front or exterior yard and should be placed at the rear of a building whenever possible. Should an enclosure be placed within a required landscaped front or exterior yard, additional landscaping must be provided elsewhere on the property to compensate for the encroachment into the required landscaped yard. Any modifications to required landscaping must meet the approval of the Landscape Review Committee.
- C. Any trash or recycling enclosure which is visible from the street must provide landscaping around three (3) sides of the structure. Climbing vines and screening shrubs or hedges are appropriate and landscaping must be a minimum of three-feet (3) in height at the time of planting.
- D. Where a commercial or industrial zone abuts a residential zone, enclosures must be placed a minimum of thirty-feet (30) from any residential structure or as otherwise approved by the Planning Director.
- E. Generally, the design of the structure should match the exterior surface of the building and can be constructed of masonry, wood or concrete blocks in combination with plant material capable of forming a complete evergreen hedge. The floor of the enclosure shall be a concrete holding pad which must extend eight-feet (8) beyond the gates.
- F. Gates that screen the containers are required and must remain closed at all times except at times of service.
- G. Parking is prohibited in front of the enclosure and all parked vehicles must be located at a safe distance. A "No Parking" sign must be visibly placed on the gates of the enclosure.
- H. Solid waste and recycling enclosures must be placed in a location that is compatible with the City of McMinnville's Fire Code.

17.61.040 Procedure. The applicant is responsible for contacting the collection agency for information regarding the size of containers required relative to proposed use *prior* to submittal of building plans. Two (2) copies of a Solid Waste and Recycling Enclosure plan shall be included in the submitted site (plot) plan or as a separate plan to allow for Planning Department review. At a minimum, the Enclosure Plan will illustrate the location, size and height of the proposed trash enclosure in addition to listing construction materials and any required landscaping. The structure must conform to the approved site plan at the time of final inspection.

Chapter 17.62

SIGNS

(as adopted by Ord. 4900, Nov. 5, 2008)

[...]

17.62. 070 Permanent Sign Regulations. Permanent signs may be erected and maintained only in compliance with the following specific provisions:

- A. Residential (R-1, R-2, R-3, and R-4) zones.
 - 1. Each subdivision or multi-family **dwelling** complex is permitted one permanent monument sign not to exceed six (6) feet in height and forty-eight (48) square feet in area. The sign shall be nonilluminated.
 - 2. Each public school, private school, and community building is permitted one (1) permanent sign per public street frontage. Each sign may take any of the following forms (although only one freestanding sign taller than six (6) feet in height is permitted per school): a nonilluminated freestanding sign no taller than fifteen (15) feet in height and no larger than thirty six (36) square feet in area; an indirectly illuminated or non-illuminated monument sign no taller than six (6) feet in height and no larger than forty-eight (48) square feet in area; or a non-illuminated wall sign placed no higher than thirty-five (35) feet above grade or the eave, top of wall, or parapet (whichever is less) and no larger than forty-eight (48) square feet in area. In the case of a private school located within or upon an existing or proposed church facility or site, the total sign face area may be increased by eight (8) square feet. Each sign may include changeable copy (manual or electronic) subject to 17.62.070(E)(1 – 4, 6 and 7). Any electronic changeable copy sign must have all illumination turned off between the hours of 8 p.m. and 7 a.m. Each sign shall meet the setbacks applicable to the residential zone in which it is located.
 - 3. Each church is permitted one (1) non-illuminated or indirectly illuminated permanent sign per public street frontage. No sign shall be taller than six (6) feet in height. If a church site has more than one frontage, the first sign shall be no larger than thirty (30) square feet in area and any subsequent sign may be no larger than six (6) square feet in area. Signs may include changeable copy (manual or electronic). Signs must be a minimum of ten (10) feet back from any property line. Landscaping shall be provided at the base of the sign, consistent with a plan to be submitted by the applicant for review and approval by the McMinnville Landscape Committee.
- B. Office Residential (O-R) zone. Each site or multi-tenant complex may have one permanent wall, monument, canopy, hanging, or projecting sign per frontage. Signs may not exceed the following heights: wall signs- thirty-five

(35) feet; monument signs- four (4) feet; canopy, hanging, and projecting signs- ten (10) feet. Signs may not exceed twenty-four (24) square feet in area. Signs may be indirectly lit between 6 a.m. and 10 p.m. Signs must be at least five (5) feet from any property line.

- C. Commercial (C-1, C-2, and C-3) and Industrial (M-L, M-1, and M-2) zones. Signs in the commercial and industrial zones may be directly or indirectly lit and shall meet all setback requirements of its zone.
 - 1. Freestanding Signs: Each site or multi-tenant complex is allowed one (1) permanent freestanding sign not to exceed forty-eight (48) square feet in area and six (6) feet in height. In addition, each site or multi-tenant complex is allowed one (1) additional permanent freestanding sign per 500 feet of frontage, not to exceed three (3) per site or multi-tenant complex, each not to exceed 125 square feet in area and twenty (20) feet in height if located on Highways 99W or 18 and sixteen (16) feet in height if located elsewhere.
 - 2. Mounted Signs: There is no limit on the area of permanent mounted signs except as provided in 17.62.070(D)(5).
- D. Supplemental permanent sign provisions.
 - 1. No signs are permitted within a public right-of-way unless authorized by a public agency.
 - 2. Signs shall be erected in an upright position and placed perpendicular to a horizontal surface conforming to the line from horizon to horizon.
 - 3. Maximum square footage restrictions include changeable copy and exclude accessory and incidental signs.
 - 4. Minimum clearance for projecting, canopy, and hanging signs when over a walkway or access area is eight (8) feet.
 - 5. Projecting and hanging signs may extend no more than six (6) feet from a building's façade. No projecting or hanging sign may be over thirty-six (36) square feet in area.
 - 6. Sign setbacks are measured from the nearest property line to the nearest portion of the sign. In addition to the specific setbacks noted above, all signs shall meet the clear-vision requirements of Sections 17.54.050(F) and 17.54.080(A) and (B).
- E. Electronic changeable copy signs are subject to the following standards:
 - 1. One (1) electronic changeable copy sign is permitted per site or multi-tenant complex and shall only be allowed as part of a permanent freestanding or wall sign.
 - 2. The electronic changeable copy portion of a freestanding sign may be no higher than twelve (12) feet above grade.
 - 3. The electronic changeable copy portion of a sign may not exceed twenty-four (24) square feet in area.
 - 4. Electronic changeable copy signs must be set at least ten (10) feet from all property lines.
 - 5. The electronic changeable copy portion of a sign will have its area calculated at a rate two (2) times that of other signs.
 - 6. On sites or multi-tenant complexes on which an electronic changeable copy sign is located, temporary signage is limited to that described in Section 17.62.060(B)(2) and (3).

7. Electronic changeable copy signs must be permanently mounted to the ground or a structure.
- F. Drive-up Service Signs. Additional freestanding signs are permitted with businesses that employ drive-up service. One such sign, not to exceed 36 square feet in area or six feet in height, is allowed per order station. In addition, one secondary sign, a maximum of 15 square feet in area and five feet in height, is allowed per order station. Any freestanding sign that has copy facing toward a public street shall be located a minimum of thirty (30) feet from that street's property line. Wall mount signs shall be exempt from this requirement. (Ord. 5013 §1, 2016; Ord. 4935 §1, 2011; Ord. 4912 §3 2009)

[...]

Chapter 17.63

NONCONFORMING USES

Sections:

- 17.63.010 Purpose.
- 17.63.020 Lots of record—Single-family **detached** dwelling construction permitted.
- 17.63.030 Structures—Alteration or extension.
- 17.63.040 Changes to conforming use only.
- 17.63.050 Use of structure—Discontinuance.
- 17.63.060 Structure—Destruction.
- 17.63.070 Time limit for completion.

17.63.010 Purpose. Within the zones established by this title there exist lots, structures and uses of land and structures which were lawful before the ordinance codified in this title was passed or amended, but which are now prohibited, regulated, or restricted under the terms of this title and amendments. It is the intent of this title to permit these nonconformities until they are removed or abandoned, but not to encourage their survival. Such uses are declared by this title to be incompatible with permitted uses in the zones involved. It is further the intent of this title that nonconformities shall not be enlarged upon, expanded or extended, except as provided for in this title. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.020 Lots of record—Single-family **detached** dwelling construction permitted. In a residential district, one single-family **detached** dwelling may be constructed on any single lot of record which is nonconforming because of area, width, length, or a combination thereof, provided the lot is no less than four thousand square feet in area. All other zoning requirements, such as yard dimensions, setbacks, etc., shall

conform to the zone in which the lot is located. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.030 Structures—Alteration or extension. Structures conforming as to use but nonconforming as to height, yard requirements, setback, lot size, or density may be altered or extended, provided the alteration or extension does not result in a violation of this title, except as provided below:

- A. Dwellings may be altered or extended subject to the provisions of Section 17.54.050;
- B. Dwellings located in residential zones may be altered or extended so long as the alteration or extension does not result in a violation of this title or so long as the alteration or extension is confined within the existing building lines. (Ord. 4912 §3 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.040 Changes to conforming use only. If a nonconforming use is changed, it shall be changed to a use conforming to the regulations of the zone, and after it is changed, it shall not be changed back to a nonconforming use. If a use other than that allowed in the zone is desired, a change of zone may be applied for pursuant to Chapter 17.72 (Applications and Review Process) and Chapter 17.74 (Review Criteria) of this code. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.050 Use of structure—Discontinuance. If a nonconforming use, or the use of a nonconforming structure, is discontinued for a period of one year, further use of the property shall conform to the requirements of this title. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.060 Structure—Destruction.

- A. If a nonconforming structure or a structure containing a nonconforming use in the industrial land use category is destroyed by any cause to an extent exceeding sixty percent of the assessed structural value as recorded in the County Assessor's records at the time of destruction, a future structure or use of the property shall conform to the provisions of this ordinance;
- B. If a nonconforming structure or a structure containing a nonconforming use in a residential, commercial, or public land use category is destroyed by fire, accident, or an act of God, the structure may be rebuilt to the same size (square footage before destruction) and may be occupied by the use which occupied the structure at the time of destruction.
- C. In the case of a destruction of a nonconforming ~~multiple-family~~ **dwelling** residential structure, the structure, if rebuilt, may not contain more living units than existed prior to the destruction, except, however, in a C-3 zone within the City Center Housing Overlay Zone, this limitation shall not apply to a ~~multiple-family~~ **dwelling** structure that is nonconforming relative to the referenced setbacks of the R-4 zone, but meets the setbacks of the C-3 zone and which does not otherwise increase nonconformity relative to other development standards. (Ord 5105 §2, 2021; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.070 Time limit for completion. To avoid undue hardship, nothing in this chapter shall be deemed to require a change in the plans, construction, or designated use of any building, structure or use for which a building permit has been legally issued prior to the effective date of adoption or amendment of the ordinance codified in this title, except that applications for extension of a building permit shall not be approved to exceed a period of one year from the date of adoption or amendment. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

Chapter 17.67

HOME OCCUPATIONS

17.67.010 Home occupations—Purpose. The home occupation provision is included in recognition of the needs of many people who are engaged in small scale business ventures which could not necessarily be sustained if it were necessary to lease commercial quarters for them or which, in the nature of the home occupation, cannot be expanded to full-scale enterprises.

It is the intent of this ordinance that full-scale commercial or professional operations, which would ordinarily be conducted in a commercial or industrial district continue to be conducted in such district and not at home. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.020 Application—Approval. Application for a home occupation permit shall be submitted as required by Section 17.72.020. A permit for a home occupation shall be reviewed by the Planning Director consistent with the procedures in Section 17.72.100. Approval of the permit shall be subject to the following conditions:

- A. If the Planning Director finds that the standards noted in Section 17.67.030 have been met and approval of the permit would create no adverse impact on the immediate neighborhood or the surrounding area, the Director will, within 21 days of the date of the application, issue a renewable and revocable permit, upon payment of the appropriate fee, for a one-year period;
- B. Permits may be renewed for one-year periods upon payment of the appropriate fee, provided that the permit has not been terminated under the provisions of Section 17.67.050 of this ordinance. Permits may also be terminated for failure to pay the renewal fee by the anniversary date of the permit. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.030 Home occupation standards. A home occupation shall mean that any occupation or profession may be carried on by a member of the ~~family~~ **occupants** residing on the premises, provided that the following conditions are satisfied:

- A. No sign is displayed other than that which is permitted by Section 17.62.040;
- B. There is no display that will indicate from the exterior that the building is being used for any purpose other than a dwelling;

- C. Outdoor storage or display of materials, equipment, or merchandise related to the occupation shall be prohibited;
- D. There are no paid employees beyond those residing at the residence listed as the site of the home occupation;
- E. All work being performed at the site must be done within the confines of a building and no noise, odor, dust, smoke or other evidence of the home occupation permeates beyond the confines of the property;
- F. The permit holder must reside at the location listed as the site of the home occupation;
- G. The use does not generate traffic which exceeds the numbers which would normally be found in the neighborhood. The Planning Director may impose other conditions as necessary in order to mitigate impacts related to traffic or clientele. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.040 Prohibited Uses. The following prohibited uses include, but are not limited to:

- A. Motor vehicle sales;
- B. Vehicle repair, body work, or painting;
- C. Storage and/or sale of fireworks;
- D. Junk and salvage operations;
- E. Any use that involves the use of hazardous substances or materials which might create a fire hazard or danger to neighboring properties as may be determined by the Fire Department;
- F. Parking of more than one business-related vehicle on-site.
- G. Marijuana business. (Ord 5000 §3, 2015, Ord 4947 §1, 2011)

17.67.050 Home occupation complaint procedures.

- A. Complaints will be investigated by the Planning Department. If the alleged violation is determined to exist by the Department, the permit holder will be notified of the violation of the standards or conditions by certified letter, and the time period in which the violation must be corrected. If the alleged violation has not been corrected within 15 days of the date of the letter or as may otherwise be specified, the Planning Department shall have cause to revoke said permit. Notice of termination of the permit shall be provided by certified mail to the permit holder;
- B. Upon termination of the permit by the Planning Department, an appeal of the decision may be made to the Planning Commission as provided in Section 17.72.170 of this ordinance. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.060 Standards for judging objections. Standards for judging objections to a home occupation shall include, but not be limited to the following:

- A. Generation of excessive traffic;
- B. Monopoly of on-street parking spaces;
- C. Frequent deliveries and pickups by motor freight trucks;
- D. Noise in excess of that created by normal residential use (either in terms of volume or hours of occurrence);

- E. Smoke, fumes, or odors in excess of those created by normal residential use;
- F. Failure to meet the conditions listed in Section 17.67.030 Home Occupation Standards;
- G. Other offensive activities not in harmony with a residential neighborhood. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.070 Action by Commission—Home occupation complaints. The Commission, upon hearing the evidence, may:

- A. Approve the use as it exists;
- B. Require the use to be terminated; or
- C. Impose appropriate restrictions, such as limiting hours of operation, establishing a phase-out period, or other measures insuring compatibility with the neighborhood. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

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PROPOSED AMENDMENTS TO THE MCMINNVILLE COMPREHENSIVE PLAN,
VOLUME ii, GOAL AND POLICIES

New proposed language is represented by ***bold italic font***, deleted language is represented by ~~strikethrough font~~.

CHAPTER V
HOUSING AND RESIDENTIAL
DEVELOPMENT

[...]

Policies:

59.00 *Opportunities for multiple-family **dwelling** and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.*

60.00 *Attached single-family dwellings and common property ownership arrangements (condominiums) shall be allowed in McMinnville to encourage land-intensive, cost-effective, owner-occupied dwellings.*

[...]

71.09 *Medium and **Medium-High Density Residential (R-3 and R-4)** - The majority of residential lands in McMinnville are planned to develop at medium density range (4 – 8 dwelling units per net acre). Medium density residential development uses include small lot single-family **dwelling** detached uses, single family **dwelling** attached units, duplexes, ~~and triplexes~~, **quadplexes**, ~~and townhouses~~, **and cottage clusters**. High density residential development (8 – 30 dwelling units per net acre) uses typically include townhouses, condominiums, and apartments:*

[...]

84.00 *Multiple-family **dwelling**, low-cost housing (subsidized) shall be dispersed throughout the community by appropriate zoning to avoid inundating any one area with a concentration of this type of housing.*

[...]

*Multiple-family **Dwelling** Development Policies:*

86.00 *Dispersal of new-multi-family **dwelling** housing development will be encouraged throughout the City in areas designated for residential and mixed-use development to encourage a variety of housing types throughout the*

*community and to avoid an undue concentration of multi-family **dwelling** development in specific areas of the community leading to a segregation of multi-family **dwelling** development in McMinnville from residential neighborhoods. Dispersal policies will be consistent with the Great Neighborhood Principles*

*In areas where there are the amenities, services, infrastructure and public facilities to support a higher density of multi-family **dwelling** development, and the area is commensurate with a higher concentration of multi-family **dwelling** development without creating an unintended segregation of multi-family **dwelling** development, such as McMinnville's downtown, the area surrounding Linfield University and Neighborhood Activity Centers, a higher concentration of multi-family **dwelling** development will be encouraged. (Ord. 5098, December 8, 2020)*

87.00 *Residential developments at densities beyond that normally allowed in the multiple-family **dwelling** zone shall be allowed in the core area subject to review by the City. These developments will be encouraged for (but not limited to) the provision of housing for the elderly.*

[...]

89.00 *Zoning standards shall require that all multiple-family **dwelling** housing developments provide landscaped grounds. (Ord. 4796, October 14, 2003)*

[...]

91.00 *Multiple-family **dwelling** housing developments, including condominiums, ~~boarding houses, lodging houses, rooming houses~~ but excluding campus living quarters, shall be required to access off of arterials or collectors or streets determined by the City to have sufficient traffic carrying capacities to accommodate the proposed development. (Ord. 4573, November 8, 1994)*

CHAPTER VIII ENERGY

Proposals:

37.00 The City of McMinnville should encourage the development of community gardens on vacant city lands and within multi-family **dwelling** housing developments as an energy saving device.

CHAPTER IX URBANIZATION

[...]

Policies:

- 187.95.06 *Residential densities in the focus area or portions of the support area adjacent to it should be between 8 to 20 dwelling units per net acre. These density ranges are generally appropriate for attached single-family **dwelling** housing or apartments. (Ord. 5098, December 8, 2020)*
- 187.95.07 *Densities in the support area should transition to between 4 - 10 dwelling units per net acre at the outer edge of the support area -- appropriate for commonwall homes, duplexes, and small lot single-family **dwelling** detached homes. (Ord. 5098, December 8, 2020)*



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**

231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311

www.mcminnvilleoregon.gov

DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF LEGISLATIVE AMENDMENTS TO THE MCMINNVILLE CITY CODE, TITLE 17, ADDITION OF CHAPTER 17.11 RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS. AMENDMENTS TO THE REST OF TITLE 17 ARE HOUSEKEEPING CONSISTANACY WITH CHAPTER 17.11.

DOCKET: G 6-21

REQUEST: The City of McMinnville is proposing amendments to the McMinnville Municipal Code and the McMinnville Comprehensive Plan to remove regulatory barriers for Middle Housing as defined by HB 2001; to meet City of McMinnville goals and policies related to housing; and to bring the City’s Municipal Code into compliance with the two HB 2001 components: OAR 660-046-0000 through 660-046-0235 (Division 46). Proposed Municipal Code amendments include the addition of a new Chapter 17.11, Residential Design and Development Standards, housekeeping amendments to, Chapter 17.06 (Definitions), Chapter 17.12 (R-1 Low-Density Residential Zone), Chapter 17.15 (R-2 Low-Density Residential Zone), Chapter 17.18 (R-3 Medium Density Residential Zone), Chapter 17.21 (R-4 Medium High-Density Residential Zone) and Chapter 17.22 (R-5 High-Density Residential Zone), Chapter 17.60 (Off-Street Parking and Loading), and clean up of references throughout the code.

LOCATION: N/A

ZONING: R1, R2, R3, R4 and R5

APPLICANT: City of McMinnville

STAFF: Heather Richards, Planning Director

HEARINGS BODY: McMinnville Planning Commission

DATE & TIME: March 17, 2022, 6:30 p.m.
<https://mcminnvilleoregon.zoom.us/j/89271957372?pwd=OVF1ZFRxVGo3b3NCWVdPVTB0SHRJdz09>

Meeting ID: 892 7195 7372 Passcode: 910656

The public may also join the Zoom meeting by phone by using the phone number and meeting ID below:

Phone: +1 253 215 8782 Meeting ID: 892 7195 7372

DECISION-MAKING BODY: McMinnville City Council

PROCEDURE: The application is subject to the legislative land use procedures specified in Sections 17.72.120 - 17.72.160 of the McMinnville Municipal Code.

CRITERIA: Amendments to the McMinnville Zoning Ordinance to fulfill the requirements of HB 2001 must be consistent with the applicable portions of OAR 660-046-0000 through 660-046-0235, Oregon State Land-Use Goals, the Goals and Policies in Volume II of the Comprehensive Plan and the Purpose of the Zoning Ordinance.

APPEAL: The Planning Commission will make a recommendation to the City Council. The City Council's decision on a legislative amendment may be appealed to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date written notice of the City Council's decision is mailed to parties who participated in the local proceedings and entitled to notice and as provided in ORS 197.620 and ORS 197.830, and Section 17.72.190 of the McMinnville Municipal Code.

DECISION

Based on the findings and conclusions, the McMinnville Planning Commission recommends **APPROVAL** of the legislative zoning text amendments (G 6-21) to the McMinnville City Council.

////////////////////////////////////
DECISION: APPROVAL
////////////////////////////////////

City Council: _____
Scott Hill, Mayor of McMinnville

Date: _____

Planning Commission: _____
Sidonie Winfield, Chair of the McMinnville Planning Commission

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

I. Application Summary:

The City of McMinnville is proposing amendments to the McMinnville Municipal Code and the McMinnville Comprehensive Plan to remove regulatory barriers for Middle Housing as defined by HB 2001; to meet City of McMinnville goals and policies related to housing; and to bring the City's Municipal Code into compliance with the two HB 2001 components: OAR 660-046-0000 through 660-046-0235 (Division 46). Proposed Municipal Code amendments include the addition of a new Chapter 17.11, Residential Design and Development Standards, housekeeping amendments to, Chapter 17.06 (Definitions), Chapter 17.12 (R-1 Low-Density Residential Zone), Chapter 17.15 (R-2 Low-Density Residential Zone), Chapter 17.18 (R-3 Medium Density Residential Zone), Chapter 17.21 (R-4 Medium High-Density Residential Zone) and Chapter 17.22 (R-5 High-Density Residential Zone), Chapter 17.60 (Off-Street Parking and Loading), and clean up of references throughout the code.

II. CONDITIONS OF APPROVAL

None.

III. FINDINGS OF FACT

1. The City of McMinnville must comply with HB 2001.
2. On May 3, 2021, city staff hosted a work session with the Planning Commission to discuss options regarding HB 2001 amendments to the McMinnville City Code. At that time, Planning Commission provided direction to move forward with a legislative effort to amend the McMinnville Municipal Code to remove regulatory barriers for middle housing as deemed appropriate.
3. On February 22, 2022, a joint work session was held with Planning Commission and City Council.
4. Notice of the application and the Planning Commission public hearing was published in the News Register on Friday, March 11, 2021, in accordance with Section 17.72.120 of the Zoning Ordinance.
5. On March 17, 2022, the Planning Commission held a duly noticed public hearing to consider the request.
6. Title 17 of the MMC provides the code provisions for zoning and development regulations for the City of McMinnville.

IV. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application.

Oregon Administrative Rules (OAR) 660-046-0000 to OAR 660-046-0235 govern middle housing in medium and large cities in the state of Oregon. McMinnville is categorized as a large city in the rule, and the requirements relevant to large cities are addressed below.

660-046-0010 Applicability

1. *A local government that is a Medium City or Large City must comply with this division.*
2. *Notwithstanding section (1), a Medium or Large City need not comply with this division*

for:

- a. *Lots or Parcels that are not zoned for residential use, including but not limited to Lots or Parcels zoned primarily for commercial, industrial, agricultural, or public uses;*
 - b. *Lots or Parcels that are Zoned For Residential Use but do not allow for the development of a detached single-family dwelling; and*
 - c. *Lots or Parcels that are not incorporated and that are zoned under an interim zoning designation that maintains the land's potential for planned urban development.*
3. *A Medium or Large City may regulate Middle Housing to comply with protective measures (including plans, policies, and regulations) adopted and acknowledged pursuant to statewide land use planning goals. Where Medium and Large Cities have adopted, or shall adopt, regulations implementing the following statewide planning goals, the following provisions provide direction as to how those regulations shall be implemented in relation to Middle Housing, as required by this rule.*
- a. *Goal 5: Natural Resources, Scenic, and Historic Areas – OAR chapter 660, division 23, prescribes procedures, and in some cases, standards, for complying with Goal 5. OAR chapter 660, division 16 directed implementation of Goal 5 prior to division 23. Local protection measures adopted pursuant to divisions 23 and 16 are applicable to Middle Housing.*
 - A. *Goal 5 Natural Resources – Pursuant to OAR 660-023-0050 through 660-023-0110, Medium and Large Cities must adopt land use regulations to protect water quality, aquatic habitat, and the habitat of threatened, endangered and sensitive species. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 5.*
 - i. *Medium and Large Cities may apply regulations to Duplexes that apply to detached single-family dwellings in the same zone;*
 - ii. *Medium and Large Cities may limit the development of Middle Housing other than Duplexes in significant resource sites identified and protected pursuant to Goal 5; and*
 - iii. *If a Medium or Large City has not adopted land use regulations pursuant to OAR 660-023-0090, it must apply a 100-foot setback to Middle Housing developed along a riparian corridor.*
 - B. *Goal 5: Historic Resources – Pursuant to OAR 660-023-0200(7), Medium and Large Cities must adopt land use regulations to protect locally significant historic resources. This includes regulations applicable to Middle Housing to comply with protective measures as it relates to the integrity of a historic resource or district. Protective measures shall be adopted and applied as provided in OAR 660-023-0200. Medium and Large Cities may apply regulations adopted under OAR 660-023-0200 to Middle Housing that apply to detached single-family dwellings in the same zone, except as provided below. If a Medium or Large City has not adopted land use regulations to protect significant historic resources listed on the National Register of Historic Places, it must apply protective measures to Middle Housing as provided in OAR 660-023-0200(8)(a) until the Medium or Large City adopts land use regulations in compliance with OAR 660-023-0200.*

Medium or Large Cities may not apply the following types of regulations specific to Middle Housing:

 - i. *Use, density, and occupancy restrictions that prohibit*

- the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings; and*
- ii. Standards that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings.*
- b. Goal 6: Air, Water and Land Resources Quality – Pursuant to OAR 660-015-0000(6), a Medium or Large City may limit development within an urban growth boundary to support attainment of federal and state air, water, and land quality requirements. Medium and Large Cities may apply regulations adopted pursuant to Goal 6 to the development of Middle Housing.*
 - c. Goal 7: Areas Subject to Natural Hazards – Pursuant to OAR 660-015-0000(7), Medium and Large Cities must adopt comprehensive plans (inventories, policies, and implementing measures) to reduce risk to people and property from natural hazards. Such protective measures adopted pursuant to Goal 7 apply to Middle Housing, including, but not limited to, restrictions on use, density, and occupancy in the following areas:

 - A. Special Flood Hazard Areas as identified on the applicable Federal Emergency Management Agency Flood Insurance Rate Map; and*
 - B. Other hazard areas identified in an adopted comprehensive plan or development code; provided the Medium or Large City determines that the development of Middle Housing presents a greater risk to life or property than the development of detached single-family dwellings from the identified hazard. Greater risk includes but is not limited to actions or effects such as:

 - i. Increasing the number of people exposed to a hazard;*
 - ii. Increasing risk of damage to property, built, or natural infrastructure; and*
 - iii. Exacerbating the risk by altering the natural landscape, hydraulics, or hydrology.***
 - d. Goal 9: Economic Development - Pursuant to OAR 660-009-0025, Medium and Large Cities must adopt measures adequate to implement industrial and other employment development policies, including comprehensive plan designations. Medium and Large Cities may limit the development of Middle Housing on Lots or Parcels Zoned For Residential Use designated for future industrial or employment uses.*
 - e. Goal 11: Public Facilities and Services - Pursuant to OAR 660-011-0020(2), a public facility plan must identify significant public facility projects which are to support the land uses designated in the acknowledged comprehensive plan. This includes public facility projects to support the development of Middle Housing in areas zoned for residential use that allow for the development of detached single-family dwellings. Following adoption of Middle Housing allowances by a Large City, the Large City shall work to ensure that infrastructure serving undeveloped or underdeveloped areas, as defined in OAR 660-046-0320(8), where Middle Housing is allowed is appropriately designed and sized to serve Middle Housing.*

FINDING: SATISFIED.

1. OAR 660-046-0010 Applicability (2) requires that the city's code be amended to comply with Oregon Administrative Rules (OAR) 660-046-0000 to OAR 660-046-0235 governing middle housing in medium and large cities in the state of Oregon.
2. Proposed amendments satisfy these requirements because they will apply to the five zones which currently permit single detached dwellings, R-1, R-2, R-3, R,4 and R-5. These zones cover a majority of land area within the city and will allow for development of middle housing types on a wide range of lot sizes and neighborhood contexts.
3. The city will continue to apply protections to statewide land use planning goals 5, 6, 7, 9, 11, and 16 as applicable.

660-046-0030 Implementation of Middle Housing Ordinances

1. *Before a Medium or Large City amends an acknowledged comprehensive plan or a land use regulation to allow Middle Housing, the Medium or Large City must submit the proposed change to the Department for review and comment pursuant to OAR chapter 660, division 18.*
2. *In adopting or amending regulations or amending a comprehensive plan to allow Middle Housing, a Medium or Large City must include findings demonstrating consideration, as part of the post- acknowledgement plan amendment process, of methods to increase the affordability of Middle Housing through ordinances or policies that include but are not limited to:*
 - a. *Waiving or deferring system development charges;*
 - b. *Adopting or amending criteria for property tax exemptions under ORS 307.515 to ORS 307.523, ORS 307.540 to ORS 307.548 or ORS 307.651 to ORS 307.687 or property tax freezes under ORS 308.450 to ORS 308.481; and*
 - c. *Assessing a construction tax under ORS 320.192 and ORS 320.195.*
3. *When a Medium or Large City amends its comprehensive plan or land use regulations to allow Middle Housing, the Medium or Large City is not required to consider whether the amendments significantly affect an existing or planned transportation facility.*

FINDING: SATISFIED.

1. The city provided notice of the proposed amendments to DLCD on February 10, 2022.
2. The proposed amendments increase affordability through the elimination of regulatory barriers to middle housing in single dwelling residential zones but do not include consideration of methods to increase affordability through modifying system development charges, tax exemptions, or through assessing a construction tax.
3. The proposed amendments do not include any consideration of the impact of middle housing on the transportation system.

660-046-0040 Compliance

4. *A Large City which is A Local Government That Has Not Acted by June 30, 2022 or within two years of qualifying as a Large City pursuant to OAR 660-046-0050 and has not received an extension under section (2), shall directly apply the applicable Model Code contained in OAR 660-046-0010(4) for the specific Middle Housing type that is not in compliance with the relevant rules in this division to all proposed development applications for that specific Middle Housing type until such time as the Large City has*

adopted provisions under section (1).

FINDING: SATISFIED.

The city will comply with the state requirement to adopt middle housing code amendments prior to June 30, 2022.

660-046-0205 Applicability of Middle Housing in Large Cities

1. *A Large City must allow for the development of Duplexes in the same manner as required for Medium Cities in OAR 660-046-0100 through OAR 660-046-0130.*
2. *A Large City must allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through additions to or conversions of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings. A Large City may regulate or limit development of these types of Middle Housing on the following types of lands:*
 - a. *Goal-Protected Lands: Large Cities may regulate Middle Housing on Goal-Protected Lands as provided in OAR 660-046-0010(3);*
 - b. *Master Planned Communities: Large Cities may regulate or limit the development of Middle Housing in Master Planned Communities as follows:*
 - A. *If a Large City has adopted a master plan or a plan that functions in the same manner as a master plan after January 1, 2021, it must allow the development of all Middle Housing types as provided in OAR 660-046-0205 through OAR 660-046-0235.*
 - i. *A Large City must plan to provide urban water, sanitary sewer, stormwater, and transportation systems that accommodate at least 20 dwelling units per net acre if located within a metropolitan service district boundary, and 15 dwelling units per net acre if located outside of a metropolitan service district boundary.*
 - ii. *If a proposed Middle Housing development exceeds the planned public service capacity of a Master Plan, the Large City may require the applicant demonstrate, through an amended public facility plan or similar mechanism, the sufficient provision of public services needed to serve the proposed development.*
 - iii. *A Large City may require a mix of two or more Middle Housing types within a Master Plan or portions of a Master Plan.*
 - iv. *A Large City may designate areas within the master plan exclusively for other housing types, such as multi-family residential structures of five dwelling units or more or manufactured home parks.*
 - B. *If a Large City has adopted a master plan or a plan that functions in the same manner as a master plan before January 1, 2021, it may limit the development of Middle Housing other than Duplexes provided it authorizes in the entire master plan area a net residential density of at least eight dwelling units per acre and allows all dwelling units, at minimum, to be detached single-family dwellings or Duplexes. A Large City may only apply this restriction to portions of the area not developed as of January 1, 2021, and may not apply this restriction after the initial development of any area of the master plan or a plan that functions in the same manner as a master plan, except that a Large City may prohibit redevelopment of other housing types, such as multi-family residential structures and manufactured home parks.*
 - c. *Impacted by State or Federal Law: A Large City must demonstrate that regulations or limitations of Middle Housing other than Duplexes are necessary to implement or comply with an established state or federal law or regulation on these types of lands.*

3.A Large City may:

- a. Allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through conversion of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings as provided in OAR 660-046-0205 through OAR 660-046-0235; or
- b. Apply separate minimum lot size and maximum density provisions than what is provided in OAR 660-046-0220, provided that the applicable Middle Housing type other than Duplexes is allowed on the following percentage of Lots and Parcels zoned for residential use that allow for the development of detached single-family dwellings, excluding lands described in subsection (2):
 - A. Triplexes – Must be allowed on 80% of Lots and Parcels;
 - B. Quadplexes - Must be allowed on 70% of Lots and Parcels;
 - C. Townhouses - Must be allowed on 60% of Lots and Parcels; and
 - D. Cottage Clusters – Must be allowed on 70% of Lots and Parcels.
- E. A Middle Housing type is “allowed” on a Lot or Parcel when the following criteria are met:
 - i. The Middle Housing type is a permitted use on that Lot or Parcel under the same administrative process as a detached single-family dwelling in the same zone;
 - ii. The Lot or Parcel has sufficient square footage to allow the Middle Housing type within the applicable minimum lot size requirement;
 - iii. Maximum density requirements do not prohibit the development of the Middle Housing type on the subject Lot or Parcel; and
 - iv. The applicable siting or design standards do not individually or cumulatively cause unreasonable cost or delay to the development of that Middle Housing type as provided in OAR 660-046-0210(3).
- F. A Large City must ensure the equitable distribution of Middle Housing by allowing, as defined in subsection (3)(b)(E) above, at least one Middle Housing type other than Duplexes and Cottage Clusters on 75 percent or more of all lots and parcels zoned for residential use that allow for the development of detached single-family dwellings within each census block group, with at least four eligible Lots and Parcels as described in subsection (2) of this section, within a Large City.
- G. Large Cities must demonstrate continuing compliance with subsection (3)(b) at the following intervals:
 - i. At the initial submittal of a Middle Housing comprehensive plan or land use regulation change, in accordance with OAR Chapter 660, Division 18;
 - ii. At any future Housing Capacity Analysis Deadline as provided in OAR 660-008-0045, except that a demonstration of continuing compliance will not be required earlier than six years after initial adoption of acknowledged land use regulations in compliance with this division; and
 - iii. With any future comprehensive plan or land use regulation changes that implements this division, in accordance with OAR Chapter 660, Division 18, for Large Cities that are not subject to the Housing Capacity Analysis Deadline as provided in OAR 660-008-0045, except that a demonstration of continuing compliance will not be required more frequently than once every six years after initial adoption of acknowledged land use regulations in compliance with this division.

4. Pursuant to OAR 660-046-0205 through OAR 660-046-0230, the following numerical standards related to Middle Housing types apply:

- a. Duplexes – Large Cities may allow more than two dwellings units on a Lot or Parcel, including any accessory dwelling units.
- b. Triplexes and Quadplexes – Large Cities may allow more than four dwelling units on a lot, including any accessory dwelling units.
- c. Townhouses – Large Cities must require at least two attached Townhouse dwelling units and must allow up to four attached Townhouse units subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. A Large City may allow five or more attached Townhouse dwelling units.
- d. Cottage Clusters –
 - A. A Large City is not required to set a minimum number of dwelling units in a Cottage Cluster, but if it chooses to, it may require a minimum of three, four, or five dwelling units in a Cottage Cluster. A Large City may allow, but may not require, greater than five units in a Cottage Cluster.
 - B. A Large City must allow up to eight cottages per common courtyard subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. Nothing in this section precludes a Large City from permitting greater than eight dwelling units per common courtyard.

FINDING: SATISFIED. Proposed amendments satisfy these requirements because:

1. Duplexes are permitted on all lots which permit detached single dwellings.
2. Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through additions to or conversions of existing detached single-dwellings, are permitted in areas zoned for residential use that allow for the development of single detached dwellings. The city will continue to apply protections to statewide land use planning goals 5, 6, 7, 9, 11, and 16 as applicable.
3. This section is not applicable because McMinnville has opted for the “minimum compliance” pathway.
4. Amendments comply with the numerical standards for each of the middle housing types.

660-046-0210 Provisions Applicable to Middle Housing in Large Cities

1. Large Cities may regulate Middle Housing to comply with protective measures, including plans, policies and regulations, as provided in OAR 660-046-0010(3).
2. Large Cities may regulate siting and design of Middle Housing, provided that the regulations;
 - a. Are clear and objective standards, conditions, or procedures consistent with the requirements of ORS 197.307; and
 - b. Do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable costs or delay.
3. Siting and design standards that do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable cost and delay include only the following:
 - a. Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);
 - b. Permitted uses and approval processes provided in OAR 660-046-0215;
 - c. Siting standards provided in OAR 660-046-0220;
 - d. Design standards in Large Cities provided in OAR 660-046-0225;
 - e. Middle Housing Conversions provided in OAR 660-046-0230;

- f. *Alternative siting or design standards provided in OAR 660-046-0235; and*
- g. *Any siting and design standards contained in the Model Code referenced in section OAR 660-046- 0010(4).*

FINDING: SATISFIED. Proposed amendments satisfy these requirements because:

1. The city will continue to apply protections to statewide land use planning goals 5, 6, 7, 9, 11, and 16 as applicable.
2. The Residential Development and Design Standards (RDDS) use clear and objective siting standards, and applies those standards equally to detached single dwellings, duplexes, triplexes, and quadplexes.
3. Code amendments consists of siting and design standards that do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable cost and delay and include only the following:
 - a. Protections that are consistent with statewide land use planning goals 5, 6, 7, 9, 11, and 16.
 - b. All middle housing types are permitted land uses and are governed by the same approval processes and procedures as single detached dwellings.
 - c. The Residential Development and Design Standards (RDDS) use clear and objective siting standards, applies those standards equally to detached single dwellings, duplexes, triplexes, and quadplexes, or includes siting standards for attached single dwellings and cottage clusters that are based on the design standards in the Large City Model Code (LCMC), or are less restrictive.
 - d. The RDDS design standards, called Universal Design Standards, use clear and objective, quantitative criteria.
 - e. The RDDS standards address conversions of existing detached single dwellings to any of the middle housing types or have adopted language from the Large City Model Code (LCMC) or the less restrictive OAR benchmarks.
 - f. Code amendments do not rely on nor provide alternative siting or design standards as described in OAR 660-046-0235.
 - g. Code amendments use a number of siting and design standards that are contained in the Model Code section OAR 660-046- 0010(4).

660-046-0215 Permitted Uses and Approval Process

Large Cities must apply the same approval process to Middle Housing as detached single-family dwellings in the same zone. Pursuant to OAR 660-008-0015 and ORS 197.307, Large Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Middle Housing consistent with the requirements of ORS 197.307. Nothing in this rule prohibits a Large City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-007-0015(2), OAR 660-008-0015(2), and ORS 197.307(6).

FINDING: SATISFIED. Proposed amendments satisfy these requirements because:

- Code amendments ensure that all HB-required middle housing types are permitted land uses, governed by the same approval processes and procedures as single detached dwellings.

660-046-0220 Middle Housing Siting Standards in Large Cities

1. *Large Cities must apply siting standards to Duplexes in the same manner as required for Medium Cities in OAR 660-046-0120.*
2. *The following governs Large Cities' regulation of siting standards related to Triplexes and Quadplexes:*
 - a. *Minimum Lot or Parcel Size:*
 - A. *For Triplexes:*
 - i. *If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 5,000 square feet or less, the minimum Lot or Parcel size for a Triplex may be no greater than 5,000 square feet.*
 - ii. *If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 5,000 square feet, the minimum Lot or Parcel size for a Triplex may be no greater than the minimum Lot or Parcel size for a detached single-family dwelling.*
 - B. *For Quadplexes:*
 - i. *If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Quadplex may be no greater than 7,000 square feet.*
 - ii. *If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Quadplex may be no greater than the minimum Lot or Parcel size for a detached single-family dwelling.*
 - C. *A Large City may apply a lesser minimum Lot or Parcel size in any zoning district for a Triplex or Quadplex than provided in paragraphs A. or B.*
 - b. *Density: If a Large City applies density maximums in a zone, it may not apply those maximums to the development of Quadplex and Triplexes.*
 - c. *Setbacks: A Large City may not require setbacks greater than those applicable to detached single-family dwellings in the same zone.*
 - d. *Height: A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone, except a maximum height may not be less than 25 feet or two stories.*
 - e. *Parking:*
 - A. *For Triplexes, a Large City may require up to the following off-street parking spaces:*
 - i. *For Lots or Parcels of less than 3,000 square feet: one space in total;*
 - ii. *For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total; and*
 - iii. *For Lots or Parcels greater than or equal to 5,000 square feet: three spaces in total.*
 - B. *For Quadplexes, a Large City may require up to the following off-street parking spaces:*
 - i. *For Lots or Parcels of less than 3,000 square feet: one space in total;*
 - ii. *For Lots or Parcels greater than or equal to 3,000 square feet and*

- B. *Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.*
- C. *A Large City must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone.*
- g. *Bulk and Scale: A Large City is not required to apply standards to control bulk and scale to new Townhouses. However, if a Large City chooses to regulate scale and bulk, including but not limited to provisions including Lot or Parcel coverage, floor area ratio, and maximum unit size, those standards cannot cumulatively or individually limit the bulk and scale of the cumulative Townhouse Project greater than that of a single-family detached dwelling.*
- h. *A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Townhouse development application.*
- 4. *The following governs Large Cities' regulation of siting standards related to Cottage Clusters:*
 - a. *Minimum Lot or Parcel Size: A Large City is not required to apply minimum Lot or Parcel size standards to new Cottage Clusters. However, if a Large City applies standards to regulate minimum Lot or Parcel size for Cottage Clusters on a single Lot or Parcel, the following provisions apply:*
 - A. *If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Cottage Cluster may be no greater than 7,000 square feet.*
 - B. *If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Cottage Cluster may not be greater than the minimum Lot or Parcel size for a detached single-family dwelling.*
 - b. *Minimum Lot or Parcel Width: A Large City is not required to apply minimum Lot or Parcel width standards to Cottage Clusters. However, if a Large City applies standards to regulate minimum Lot or Parcel width for Cottage Clusters, it may not require a minimum Lot or Parcel width that is greater than the standard for a single-family detached dwelling in the same zone.*
 - c. *Density: A Large City may not apply density maximums to the development of Cottage Clusters. A Cottage Cluster development must meet a minimum density of at least four units per acre.*
 - d. *Setbacks: A Large City may not require perimeter setbacks to be greater than those applicable to detached single-family dwellings in the same zone. Additionally, perimeter setbacks applicable to Cottage Cluster dwelling units may not be greater than ten feet. The minimum distance between structures may not be greater than what is required by applicable building code requirements or 10 feet.*
 - e. *Dwelling Unit Size: A Large City may limit the minimum or maximum size of dwelling units in a Cottage Cluster, but must apply a maximum building footprint of 900 square feet per dwelling unit. A Large City may exempt up to 200 square feet in the calculation of dwelling unit footprint for an attached garage or carport. A Large City may not include detached garages, carports, or accessory structures in the calculation of dwelling unit footprint.*
 - f. *Parking:*
 - A. *A Large City may not require more than one off-street parking space per dwelling unit in a Cottage Cluster.*
 - B. *A Large City may allow but may not require off-street parking to be provided as a garage or carport.*
 - C. *Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.*

- g. *Lot or Parcel Coverage and Floor Area Ratio: A Large City may not apply Lot or Parcel coverage or floor area ratio standards to Cottage Clusters.*
- h. *Nothing in this division precludes a Large City from allowing Cottage Cluster dwelling units on individual Lots or Parcels within the Cottage Cluster development.*
- i. *A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Cottage Cluster development application.*

660-046-0225 Middle Housing Design Standards in Large Cities

1. *A Large City is not required to apply design standards to Middle Housing. However, if a Large City chooses to apply design standards to Middle Housing, it may only apply the following:*
 - a. *Design standards in the Model Code for Large Cities in OAR 660-046-0010(4)(b);*
 - b. *Design standards that are less restrictive than those in the Model Code for Large Cities in OAR 660-046-0010(4)(b);*
 - c. *The same clear and objective design standards that the Large City applies to detached single-family structures in the same zone. Design standards may not scale by the number of dwelling units or other features that scale with the number of dwelling units, such as primary entrances. Design standards may scale with form-based attributes, including but not limited to floor area, street-facing façade, height, bulk, and scale; or*
 - d. *Alternative design standards as provided in OAR 660-046-0235.*
2. *A Large City may not apply design standards to Middle Housing created as provided in OAR 660-046-0230.*

FINDING: SATISFIED. The proposed amendments satisfy these requirements because:

- The Residential Development and Design Standards (RDDS) use clear and objective siting standards, and applies those standards equally to detached single dwellings, duplexes, triplexes, and quadplexes, and
- The RDDS includes siting standards for attached single dwellings and cottage clusters that are based on the design standards in the Large City Model Code (LCMC), or it applies designs standards that are less restrictive, and
- The RDDS design standards, called Universal Design Standards, use clear and objective, quantitative criteria, and
- Are specifically designed to comply with OAR 660-046-0225(1)(c), by using the same design standards that are applied to single detached dwellings in the same zone,.

660-046-0230 Middle Housing Conversions

1. *Additions to, or conversions of, an existing detached single-family dwelling into Middle Housing is allowed in Large Cities pursuant to OAR 660-046-0205(2), provided that the addition or conversion does not increase nonconformance with applicable clear and objective standards, unless increasing nonconformance is otherwise permitted by the Large City's development code.*
2. *If Middle Housing is created through the addition to, or conversion of, an existing single-family detached dwelling, a Large City or other utility service provider that grants clear and objective exceptions to public works standards to detached single-family dwelling development must allow the granting of the same exceptions to Middle Housing.*

3. *A preexisting detached single-family dwelling may remain on a Lot or Parcel with a Cottage Cluster as described below:*
 - a. *The preexisting single-family dwelling may be nonconforming with respect to the requirements of the applicable code;*
 - b. *The preexisting single-family dwelling may be expanded up to the maximum height, footprint, or unit size required by the applicable code; however, a preexisting single-family dwelling that exceeds the maximum height, footprint, or unit size of the applicable code may not be expanded;*
 - c. *The preexisting single-family dwelling shall count as a unit in the Cottage Cluster;*
 - d. *The floor area of the preexisting single-family dwelling shall not count towards any Cottage Cluster average or Cottage Cluster project average or total unit size limits; or*
 - e. *A Large City may apply a time limit on the conversion of a single-family dwelling to a Cottage Cluster not to exceed five years.*

FINDING: SATISFIED. The proposed amendments satisfy these requirements because:

- The RDDS standards address conversions of existing detached single dwellings to any of the middle housing types, and
- The RDDS standards have adopted language from the Large City Model Code (LCMC) or the less restrictive OAR benchmarks.

660-046-0235 Alternative Siting or Design Standards

A Large City may adopt Siting or Design Standards not authorized by OAR 660-046-0220 or OAR 660-046-0225 as allowed under subsection (1) below if the city can demonstrate that it meets the applicable criteria laid out in either subsection (1) below. Siting or Design standards do not include minimum Lot or Parcel size and maximum density requirements.

1. *A Large City must submit to the Department findings and analysis demonstrating that the proposed standard or standards will not, individually or cumulatively, cause unreasonable cost or delay to the development of Middle Housing. To demonstrate that, the Large City must consider how a standard or standards, individually and cumulatively, affect the following factors in comparison to what is would otherwise be required under OAR 660-046-0220 or OAR 660-046-0225:*
 - a. *The total time and cost of construction, including design, labor, and materials;*
 - b. *The total cost of land;*
 - c. *The availability and acquisition of land, including areas with existing development;*
 - d. *The total time and cost of permitting and fees required to make land suitable for development;*
 - e. *The cumulative livable floor area that can be produced; and*
 - f. *The proportionality of cumulative time and cost imposed by the proposed standard(s) in relationship to the public need or interest the standard(s) fulfill.*

FINDING: SATISFIED. The proposed amendments do not rely on alternative siting or design standards as described in OAR 660-046-0235.

Comprehensive Plan

As described in the Comprehensive Plan, the Goals and Policies of the Comprehensive Plan serve as criteria for land use decisions. The following Goals and Policies from Volume II of the McMinnville Comprehensive Plan are applicable to this request:

CHAPTER V. HOUSING AND RESIDENTIAL DEVELOPMENT

GOAL V 1 TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

General Housing Policies:

58.00 City land development ordinances shall provide opportunities for development of a variety of housing types and densities.

59.00 Opportunities for multiple-family and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.

60.00 Attached single-family dwellings and common property ownership arrangements (condominiums) shall be allowed in McMinnville to encourage land-intensive, cost-effective, owner-occupied dwellings.

Housing Rehabilitation Policies:

62.00 The maintenance, rehabilitation, and restoration of existing housing in residentially designated areas shall be encouraged to provide affordable housing.

FINDING: SATISFIED. Goal V 1 and the relevant policies to middle housing are satisfied by this proposal because the code amendments will remove regulatory barriers to housing of all types, sizes and levels of affordability. Code amendments also encourage existing single detached dwellings to be converted to multiple units. Conversion of existing residential structures is an important complement to new construction affordable housing.

GOAL V 2 TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

Policies:

68.00 The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center, to designated neighborhood activity centers, and to those areas where urban services are already available before committing alternate areas to residential use. (Ord. 5098, December 8, 2020)

69.00 The City of McMinnville shall explore the utilization of innovative land use regulatory ordinances which seek to integrate the functions of housing, commercial, and industrial developments into a compatible framework within the city.

70.00 The City of McMinnville shall continue to update zoning and subdivision ordinances to include innovative land development techniques and incentives that provide for a variety of housing types, densities, and price ranges that will adequately meet the present and future needs of the community.

FINDING: SATISFIED. Code amendments to allow middle housing will support these policies. Code amendments also encourage existing single detached dwellings to be converted to multiple units. Conversion of existing residential structures is an energy-efficient and less land intensive alternative to new housing construction.

CHAPTER VIII. ENERGY

GOAL VIII 2 TO CONSERVE ALL FORMS OF ENERGY THROUGH UTILIZATION OF LAND USE PLANNING TOOLS.

Policies:

178.00 The City of McMinnville shall encourage a compact urban development pattern to provide for conservation of all forms of energy.

179.00 The City of McMinnville shall amend pertinent ordinances to allow for design techniques which increase the efficient utilization of land and energy. Areas to examine shall include, but not be limited to:

- 1. The zoning ordinance requirements, including density, lot areas, and setbacks to increase utilizable space in lots, while maintaining health and safety standards.*
- 2. The geographic placement of various uses (commercial, industrial, residential) on the Comprehensive Plan Map to encourage energy-efficient locations.*
- 3. The zoning ordinance and planned development provisions to allow for cluster developments, individually owned, common-wall dwellings, and other design techniques that increase utilizable space and offer energy savings.*

FINDING: SATISFIED. Goal VIII 2 and relevant policies are satisfied because the proposed code amendments will encourage more efficient utilization of existing residential areas by allowing middle housing that includes more energy-efficient housing types.

CHAPTER IX. URBANIZATION

GOAL IX 1 TO PROVIDE ADEQUATE LAND TO SERVICE THE NEEDS OF THE PROJECTED POPULATION TO THE YEAR 2023, AND TO ENSURE THE CONVERSION OF THESE LANDS IN AN ORDERLY, TIMELY MANNER TO URBAN USES.

GOAL IX 2 TO ESTABLISH A LAND USE PLANNING FRAMEWORK FOR APPLICATION OF THE GOALS, POLICIES, AND PROPOSALS OF THE McMINNVILLE COMPREHENSIVE PLAN.

Great Neighborhood Principles – several policies are relevant to the middle housing amendments:

Policies:

187.10 The City of McMinnville shall establish Great Neighborhood Principles to guide the land use patterns, design, and development of the places that McMinnville citizens live, work, and play. The Great Neighborhood Principles will ensure that all developed places include characteristics and elements that create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood with enduring value, whether that place is a completely new development or a redevelopment or infill project within an existing built area.

187.20 The Great Neighborhood Principles shall encompass a wide range of characteristics and elements, but those characteristics and elements will not function independently. The Great Neighborhood Principles shall be applied together as an integrated and assembled approach to neighborhood design and development to create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood, and to create a neighborhood that supports today's technology and infrastructure, and can accommodate future technology and infrastructure.

187.30 The Great Neighborhood Principles shall be applied in all areas of the city to ensure equitable access to a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood for all McMinnville citizens.

187.40 The Great Neighborhood Principles shall guide long range planning efforts including, but not limited to, master plans, small area plans, and annexation requests. The Great Neighborhood Principles shall also guide applicable current land use and development applications.

187.50 The McMinnville Great Neighborhood Principles are provided below. Each Great Neighborhood Principle is identified by number below (numbers 1 – 13) and is followed by more specific direction on how to achieve each individual principle.

8. *Human Scale Design. Great Neighborhoods have buildings and spaces that are designed to be comfortable at a human scale and that foster human interaction within the built environment.*
 - a. *The size, form, and proportionality of development is designed to function and be balanced with the existing built environment.*
 - b. *Buildings included design elements that promote inclusion and interaction with the right-of-way and public spaces, including, but not limited to, building orientation towards the street or a public space and placement of vehicle-oriented uses in less prominent locations.*
 - c. *Public spaces include design elements that promote comfortability and ease of use at a human scale, including, but not limited to, street trees, landscaping, lighted public areas, and principles of Crime Prevention through Environmental Design (CPTED).*

11. *Housing for Diverse Incomes and Generations. Great Neighborhoods provide housing opportunities for people and families with a wide range of incomes, and for people and families in all stages of life.*
 - a. *A range of housing forms and types shall be provided and integrated into neighborhoods to provide for housing choice at different income levels and for different generations.*

12. *Housing Variety. Great Neighborhoods have a variety of building forms and architectural variety to avoid monoculture design.*
 - a. *Neighborhoods shall have several different housing types.*
 - b. *Similar housing types, when immediately adjacent to one another, shall provide variety in building form and design.*

FINDING: SATISFIED. Goals IX 1 and IX 2, along with the relevant policies, are satisfied. The objective of these updates is to further expand the range of middle housing types, including tiny houses, duplexes,

triplexes, quadplexes, townhouses, cottage clusters, and apartments, which are allowed and encouraged by the city. A related objective is HB 2001 compliance for the housing types required by the legislation (duplexes, triplexes, quadplexes, townhouses, cottage clusters). Updates resulting from this project will reflect recommendations from the earlier citywide Housing Types project, called RDDS – Residential Development and Design Standards, which was directly related to implementing the McMinnville Great Neighborhood Principles.

CHAPTER X. CITIZEN INVOLVEMENT AND PLAN AMENDMENT

GOAL X 1 TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.

FINDING: SATISFIED. The consultant’s analysis of the draft document and their recommendations for potential updates were shared with and reviewed in detail by the Planning Commission during a work session discussion in April 2021. In addition, the Planning Department held three open house webinars to share information on the adopted missing middle OARs and the draft development standards that the City was in the process of developing. Those open house webinars were held April 27, 2021 through April 29, 2021. Feedback and direction on the consultant’s recommendations were provided by the Planning Commission and incorporated into an updated draft of the Residential Development and Design Standards document. Work sessions were then conducted with the City Council and Planning Commission in August, 2021 to review the final recommendations.

On February 22, 2022 a joint work session was held with Planning Commission and City Council. Additionally, there were four public work sessions held on February 28th, March 1st, 2nd, and 3rd.

The public hearing process provides further opportunity for consideration of citizen involvement and input and associated deliberation.